

# Tideflats Interim Regulations

## Public Comments Received

### *Part 2\**



\* Compiled in this document are written comments received after the first cut-off time of Thursday, September 14, 2017, 5:00 p.m. and prior to the comment deadline of Friday, September 15, 2017, 5:00 p.m. This document supplements the one that compiles comments received prior to the first cut-off time.

Prepared for  
Planning Commission Meeting  
September 20, 2017

City of Tacoma  
Planning & Development Services Department  
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City of Tacoma Planning Commission  
747 Market Street, Room 345  
Tacoma, WA 98402  
[planning@cityoftacoma.org](mailto:planning@cityoftacoma.org)

Re: Comments on Draft Interim Regulations for the Tacoma Tideflats

Dear Planning Commissioners:

Thank you for reading these comments. I am the Energy Director for The Lands Council in Spokane WA. We have 1800 members and supporters, were founded in 1983, and work on various conservation issues.

The Lands Council has been involved in the coal and oil export proposals from the very beginning. To date we have had seven public hearings in Spokane on the coal and oil facility proposals on the west side of the state; a hearing on the state's Climate Legislative Executive Workshop on climate change, and a hearing on the Governor's proposed oil transportation legislation that is now law. The facility hearings were scoping and DEIS hearings conducted by either the Washington State Department of Ecology or the Washington State Energy Facility Site Evaluation Council.

The reason for the hearings from agencies is because Spokane (and Cheney and Spokane Valley) would get all the rail traffic from any fossil fuel shipments to facilities, if built. In addition we currently get fossil fuel rail transport to existing refineries/export facilities and to Canada.

The Lands Council has an interest in The Draft Interim Regulations for the Tacoma Tideflats because we will get all the rail traffic for any facility built in Tacoma. The more facilities built the more compound our rail traffic will be. The decision you make impacts Spokane and all the other rail communities in the long line from the mine to the port. As rail communities, we have no say in what comes through on our rail lines because it's not related to land use. We can't subarea plan under the GMA. And the Federal laws provide local governments with no or very specific legal avenues. Railroads in the United States have an enormous amount of power.

In Category four under the Heavy Industrial Use Special Restrictions please focus on fossil fuels. Fossil fuels are defined as all petrochemicals including, oil, coal and gas. Fossil fuels are an urgent situation that seriously impacts Spokane and need to be discussed in and of themselves as a separate category. The other uses can wait. The Northwest ports will always be very attractive to the fossil fuel industry.

The expansion of existing facilities should be prohibited. If allowed to happen it will become very delicate politically and legally and will put the City of Tacoma in a very tough place. No one, out of fairness and the public interest, should be allowed to have their hands on the table during planning. Start with an empty table.

Starting with an empty table also requires removing the bulk petroleum storage clause C (4) (b) (1). And rail needs to be a part of the facility definition and how cargo is going to be handled also needs to be part of the facility definition. You won't have cargo if you can't get it there, and rail at the facility in some capacity (that is loop, rail deport or rail unloading or unloading) is simply part of the facility. Cargo has to have some defined way of process, that is, how are you going to get it from one place to the other on the premises. That is a part of the facility and should be defined as such.

Because of the current federal administration's great interest in fossil fuels, and the lifting of the crude oil ban, the entire Northwest is very vulnerable. It's crucial you include in these regulations stopping the expansion of the existing fossil fuel facilities. If you don't, stopping the building of new facilities won't mean much because the companies of the existing facilities will just find a way to expand. I don't think that is the intent of these draft interim regulations. I think they are being done in an attempt to be holistic regarding fossil fuel infrastructure, and maintaining that focus is vitally important to the process. And expansion of existing facilities will also mean more rail traffic for rail communities.

Thank you again for reading this comment letter and I appreciate your attention and willingness to formally make plans regarding this critical and intricate subject.

Sincerely,

Laura Ackerman  
Energy Director  
The Lands Council  
25 W. Main Ave. Ste. 222  
Spokane, WA 99201  
[lackerman@landscouncil.org](mailto:lackerman@landscouncil.org)  
509 209.2404

Kim A Althoff  
Resident, Marine View Dr  
PO Box 23632  
Federal Way, WA 98093

Mr. Stephan Atkinson  
City of Tacoma  
747 Market Street, Rm 345  
Tacoma, WA 98402

RE: Interim Tideflats Regulations

Dear Sir,

I am a resident of Marine View Drive. I live very close to tideflats industry and work there myself. I have lived here for over 23 years. I hear, see and sometimes smell the business of the port.

I believe that industry in the tideflats/Port of Tacoma is an important asset to our economy. I have many friends that work in the tideflats. The jobs here tend to be good paying.

Industry was here before I moved here and therefore should have first rights to exist. I believe it is wrong for those who move near the tideflats to want to change rules for industry.

I am appalled that small groups of very vocal people are trying curtail industry in the port in ways that could affect my job.

I am in favor of limiting residential growth on the hills above the Port Of Tacoma. There are problems with building on the hillside. Building on the steep hills is dangerous due to the geology of the clay and gravel layers underneath. The hill has always been prone to landslides. I highly doubt that can be entirely engineered out. Residences on the hill are not compatible with industry. Industry was here first.

The group Redline or whatever they change their name to does not represent me. I support industry in the tideflats and oppose regulations on oil and chemical businesses. Industry is so much safer than it was 100 years ago both in environmental and worker safety.

Regards,



Kim A. Althoff

## Wung, Lihuang

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**From:** Libby Ball <libbyball@gmail.com>  
**Sent:** Friday, September 15, 2017 3:51 PM  
**To:** Planning  
**Subject:** Tideflats comments

Hello,

I'm writing to express opposition to any new work in the Port of Tacoma and Tideflats area until the completion of the Tideflats Subarea Plan is completed. It is my sincere hope that the plan, when completed, will support the move away from supporting any expansion for fossil fuels, as it is clear from all recognized climate science, from the Union of Concerned Scientists to NASA and every other respected science organization, that the burning of fossil fuels is a significant contributor to climate change and global warming. Rather than adding to the negative human impact on the planet, I hope that we in Tacoma will choose a move toward renewable energy sources, and invest our work and resources in those renewable energies, both locally, and, by example, worldwide. Additionally, as responsible citizens, the transit of fossil fuels is a dangerous action we should avoid expanding.

I live and work in Tacoma, and believe the city has an opportunity to move in a more responsible direction in supporting clean, renewable energies.

Thank you for including my comments in your consideration.

Respectfully,

Libby Ball

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**Libby Ball**  
about.me/LibbyBall

## Wung, Lihuang

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**From:** Erik Bjornson <Ebjornson@msn.com>  
**Sent:** Thursday, September 14, 2017 11:25 PM  
**To:** Planning  
**Subject:** Interim regulations need on tideflats

Tacoma Planning Commission/Tacoma City Council,

Please accept this email, and article below I wrote, in support of interim regulations for the tideflats which would significantly limit toxic uses fossil fuel industries and other noxious uses due to the close location of the tideflats to residential areas in Tacoma.

# Meaningful Tideflats land use regulations long overdue

For the last 100 years, Tacoma has had little or no meaningful regulation of permissible industrial uses of the tideflats. No matter how toxic or dangerous to human life, nearly any use was accepted by Tacoma while other cities around the nation had long ago become more environmentally conscientious. Tacoma's failure to regulate appropriate uses has led to a great disinvestment in the city and the creation of number of super fund sites.

Now that the methanol refinery proposal is dead, Tacoma residents have an opportunity to come together to plan for land use on port property that supports the health of Tacomans and is environmentally wise as well as economically sound.

After 100 years of neglect, the Tacoma City Council may finally start the process to determine the appropriate uses for the tideflats as other similarly situated cities have done decades ago. A well-designed public process could help rebuild the trust that Tacomans have in their elected officials to protecting their health and the local environment.

The current lack of confidence in the City of Tacoma and the port resulted in the historic opposition from the proposed methanol plant by thousands of residents, university professors, legislators, the Puyallup Tribe, adjacent cities, neighborhood associations and many other groups.

Tacoma cannot regulate its land use policies by relying on public protests, citizen initiatives and state legislative bills. Having sat on the sidelines during the environmental impact study process, the City of Tacoma must now take the lead as it alone controls the permissible uses on Port of Tacoma property.

Established in 1918, the port has been the hub for shipping and industrial uses, and a source of family wage jobs. However, much has changed since 1918.

First, with the advance of technology, larger-scaled and more dangerous uses are possible. The proposed methanol plant would have been the largest in the world with unknown environmental and health threats.

Second, much housing has been built on or near the port property since 1918. The entire Northeast Tacoma community has been developed recently and is immediately adjacent to the port. In 2000,

the City of Tacoma approved construction of the Northwest Detention Center, which now houses up to 1,575 people on the Tideflats.

Third, Tacoma has only recently had sufficiently good air quality to be removed from the Environmental Protection Agency's "non-attainment" designation. Additional pollution from the port could cause the EPA to place Tacoma back into that designation.

Fourth, Tacoma has been experiencing water droughts recently. In 2015, TPU requested that Tacomans reduce their water use 10 percent.

Fifth, the health and environmental standards and health expectations of Tacomans have changed since 1918. Tacoma residents are no longer willing to live in a city where the Asarco plant spews toxic waste and the stench of industrial activities (such as the Aroma of Tacoma) are permitted to continue unabated.

Many polluted sites that were occupied by industry are still heavily contaminated. Today, far more is known about the health and environmental consequences of chemicals and petroleum products. No one is suggesting that port property be rezoned to only allow yoga studios and organic tofu restaurants. However, the city can no longer take a laissez-faire attitude which allows any industrial activity, no matter how dangerous, polluting or water consuming given the proximity of the port property to residents.

In his March 6 issue of Viewpoint, Tacoma City Councilman Robert Thoms wrote: "My vision is of a city that is less industrial than its past. We can have jobs and commerce and quality of life, but we also must have a better understanding of what the parcels in the port and surrounding area are able to handle and what are the right projects and zoning to create the future we want."

Other council members have made similar public remarks.

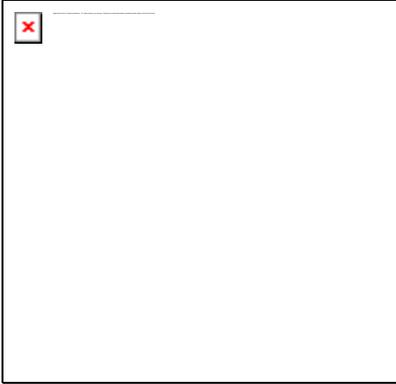
With public input, the Tacoma Planning Commission should determine the appropriate uses that could be permitted in an industrial zone adjacent to an urban area, which has pre-existing pollution issues and a limited water supply. Examining existing practices of other similarly situated cities would be a good starting point.

With the right processes and patience, the trust of the public for the city to protect the health of Tacomans could start to be restored.

*Erik Bjornson, a Tacoma attorney, is a former chairman of the North End Neighborhood Council.*

*This article was published on 9/14/2017 in the Tacoma Weekly.*

<https://tacomaweekly.com/2017/09/14/meaningful-tideflats-land-use-regulations-long-overdue/>



## [Meaningful Tidelands land use regulations long overdue](#)

tacomaweekly.com

By Erik Bjornson For the last 100 years, Tacoma has had little or no meaningful regulation of permissible industrial uses of the tidelands. No matter how toxic or dangerous to human life, nearly an...

## **Wung, Lihuang**

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**From:** SB9794@aol.com  
**Sent:** Friday, September 15, 2017 2:07 PM  
**To:** Planning  
**Cc:** SB9794@aol.com  
**Subject:** Support proposed interim regulations

To the City of Tacoma's Planning Commission:

I moved to Tacoma, WA in 1979. Over the years I watched Tacoma go from an embarrassing polluted and unhealthy area to a city that is a joy to live in for many people of various backgrounds. Citizens have worked incredibly hard to clean up the Tacoma downtown area. I consider it a real miracle that dedicated citizens were able to turn a vision into what has become a jewel of a city. The City of Tacoma's Planning Commission has a fiduciary responsibility to protect the significant gains this city has made.

Careful and thoughtful consideration must be made with all development in the Tideflats area. It would be a tragedy to turn our wonderful port area into an environment that uses up Tacoma's natural resources and once again makes this gem of a city a laughing stock of Seattle and nearby areas. Needless to say, a cleaner and more environmentally safer port adds to the quality of everyone's life. Please limit the establishment of certain new industrial uses, limit the potential residential encroachment on industrial uses within the Port of Tacoma and Tideflats area, and prevent the conversion of industrial properties to non-industrial uses, until such time as the Tideflats Subarea Plan is completed.

Tacoma's progress is fragile. Please protect the health of all our citizens now and into the future. Keep Tacoma a jewel of a city that it has become. What happens in the Tideflats impacts us all. I urge you to support the proposed interim regulations.

Respectfully,

Sandra Bowman

3617 Oas Dr W

University Place, WA 98466

253-564-9794

## Wung, Lihuang

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**From:** Bluesblue88 . <bluesblue88@gmail.com>  
**Sent:** Friday, September 15, 2017 12:02 PM  
**To:** Planning  
**Subject:** Interim Tideflats regulations

Our Port is the Economic heart of Tacoma & Pierce County. It has been for over 100 years. Port jobs infuse money all over Tacoma. From buying cars & homes, to eating out & supporting small business with our paychecks, Port Jobs make this town thrive. We need to be very careful about enacting regulations that would cripple a working Port. Just because some people moved to homes on a hill above an industrialized area, & then decided they don't like living above an industrialized area, doesn't mean 1000's of people should lose their jobs, & our Port should become a Park. Those people didn't do any research about their purchase. That's their problem. How did we even get to the point of someone thinking its a great idea to build homes there?? These homeowners were duped, & there should be no new construction of homes anywhere near our Port. I'm not going to lose my job because they were not smart enough to see what was below them. Why do certain Tacoman's feel they shouldn't share some of the burden of our Society? Everything we own is imported. Cars, appliances, furniture, clothing, etc. etc. . If you own any of these things.. you should be supporting our WORKING Port. Anything else is hypocritical.

Melissa Burks  
Tacoma resident

## **Wung, Lihuang**

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**From:** Kit Burns <kburns.wcb@gmail.com>  
**Sent:** Friday, September 15, 2017 4:11 PM  
**To:** Planning  
**Subject:** Tideflats Interim Regulations - TACOMA SACRIFICE ZONE

Dear Planning Commission,

The question before the City is "should Tacoma become a sacrifice zone for the fossil fuel industry in view of impending climate change?"

I favor jobs and industrial projects - but not related to fossil fuels.

We could build factories for high speed trains, solar panels, electric cars for export and domestic markets many other useful items suitable for a livable future. Our environment must not harm us.

Allowing fossil fuels permits the air to be poisoned, the water to be polluted, and the land to become unfit to farm. We must have a better vision.

With Congress allowing export of fossil fuels and byproducts, the international corporations will exploit federal lands for profit and leave us the wastelands. And the bill for cleanup.

Not only Tacoma will be a sacrifice zone, but the lands beyond us will be ravaged as corporations seek profits for themselves and scour the land damaging it beyond repair. Wyoming, Colorado, Montana, North Dakota, Oklahoma, and other states are already permanent sacrifice zones with waters poisoned and land covered with the rubble of industry..

We use our thin atmosphere as an open sewer.  
It supports all life. It is only 4 miles thick at the poles and 10 to 12 miles thick at the equator.

We cannot continue to abuse it. Making it un-breathable, filling it with cancer causing toxins will further degrade it and permanently harm all of us.

If we become the fossil fuel export station for the world - we will not see further development. The only thing that will follow is more fossil fuels until, in the future, we too are abandoned by a corporation declaring bankruptcy.

Please prohibit further development of fossil fuels and prevent the abuse of the City and our citizens. If our only vision is for jobs that give work to a few, profits to fewer, and harms the health of many, then we must find a new vision.

We don't want to become a sacrifice zone for the nation or the rest of the world.

Sincerley

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Kit Burns  
PO Box 2341

Tacoma, WA 98401

*"Never argue with a fool, the onlookers may not be able to tell the difference "* -Mark twain

## **Wung, Lihuang**

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**From:** Kit Burns <kburns.wcb@gmail.com>  
**Sent:** Friday, September 15, 2017 4:58 PM  
**To:** Planning  
**Subject:** Tacoma Interim Regulations - Reading Suggestions for What is at Stake

Dear Planning Commission Members,

I would like to share a few resources for your viewing and reading. I am sure you may have many possibilities of your own. I would like to share a list that you might add with some confidence for those moments which you would like a suggestion.

### Documentaries -

**Black Wave** - Exxon Valdez, the disaster that continues today in spite of the "positive PR"

**From the Ashes** - 2017 recent National Geographic documentary on Coal.

**Mountaintop Removal 2007** Documentary - Coal and its waste

**Gasland** - Fracking

**The Atomic States of America** - Nuclear Energy and the effects on a community;

**Dark Circle** - Rocky Flats in Denver

**Uranium Drive-In** - (we need jobs, even if they kill us. . .)

### Books

**Final Forest** - William Dietrich

**Dirt** - David Montgomery

**King of Fish: 1000 year run of Salmon** - David Montgomery

These are some of the issues related to accepting a fossil fuel future.  
We cannot be a sacrifice zone. Returning to our polluted past.  
Let's do better.

We can.

**Look at Western Wyoming on Google Earth from about 10,000 feet.** The scars are permanent. The land unfit for farming, the water not drinkable, and the air remains in the atmosphere with cancerous hydrocarbons for all the breath.

Restrict the possibility of a fossil fuel future.

Sincerely,  
Kit Burns

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Kit Burns  
PO Box 2341  
Tacoma, WA 98401

*"Never argue with a fool, the onlookers may not be able to tell the difference "* -Mark twain

## Wung, Lihuang

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**From:** CJ Cannon <cj.cannon@comcast.net>  
**Sent:** Friday, September 15, 2017 3:34 PM  
**To:** Atkinson, Stephen  
**Cc:** Ibsen, Anders; Thoms, Robert; Blocker, Keith; Campbell, Marty; Lonergan, Joe; Walker Lee, Lauren; McCarthy, Conor; Mello, Ryan  
**Subject:** Protect Tacoma's Tideflats

TO: Stephen Atkinson  
Planning and Development Services Department  
[satkinson@cityoftacoma.org](mailto:satkinson@cityoftacoma.org)

CC: City Council ([anders.ibsen@cityoftacoma.org](mailto:anders.ibsen@cityoftacoma.org); [robert.thoms@cityoftacoma.org](mailto:robert.thoms@cityoftacoma.org); [keith.blocker@cityoftacoma.org](mailto:keith.blocker@cityoftacoma.org); [marty.campbell@cityoftacoma.org](mailto:marty.campbell@cityoftacoma.org); [joe.lonergan@cityoftacoma.org](mailto:joe.lonergan@cityoftacoma.org); [lauren.walkerlee@cityoftacoma.org](mailto:lauren.walkerlee@cityoftacoma.org); [conor.mccarthy@cityoftacoma.org](mailto:conor.mccarthy@cityoftacoma.org); [ryan.mello@cityoftacoma.org](mailto:ryan.mello@cityoftacoma.org))

RE: Protect Tacoma's Tideflats

Dear members of the Tacoma Planning Commission,

As a resident of NE Tacoma, what happens on the port has a direct impact on me and my family. My greatest concerns are health and livability.

I am grateful that the Planning Commission is working on a balanced approach to putting protections in place for the Tideflats – this is a beautiful area and worthy of a studied approach.

On that note, I am also grateful that the Commission is considering interim regulations related to fossil fuels. Putting a pause on new and existing fossil fuel projects is critical. There are imminent threats associated with new and expanded fossil fuel facilities.

Both Hurricane Irma and Harvey highlight the very real threat of natural disasters. In our region these could manifest as earthquakes, volcanic activity, and climate-related shifts. Harboring fossil fuel facilities exponentially increases the odds of a disaster taking on catastrophic proportions.

Specifically related to the pause:

- Interim regulations should include a 'fossil fuel' only regulation.
- These regulations should pause the expansion of existing fossil fuel facilities on the Tideflats.
- The definition of "terminal" should include rail.
- The interim regulations should address existing fossil fuel infrastructure.

Just this week, US Oil put in permit placeholders for expansions. And, in the current administration, the fossil fuel industry is being handed a 'leg up'. This puts a new urgency on putting a pause in place and ensuring it effectively protects our region.

Please move interim regulations to the City Council more quickly. The longer this takes, the more likely we are to see more proposals, which in turn cost the citizens and City more money and interfere with a strong sub-area planning process.

The interim regulations are of immediate concern. Longer term, I'd really like to see the tidal flats better integrated with enhancing the liveability of Tacoma and especially NE Tacoma. For instance:

- Emphasis on clean air and water – and industry and industrial practices that support that.
- Create greenways along the NE side of Commencement Bay – akin to the greenways along the SW side of Commencement Bay (Ruston Way, etc) – for walking, bikeriding, and buffering key ecological areas from industrial and residential areas.
- Improving access through the port from NE Tacoma to downtown Tacoma. Some years ago, I could take an alternate route through the mudflats/port area if 509 was crowded. This is no longer so.

Again, please move the interim regulations to the City Council quickly.

Thank you,

*Cynthia*

Cynthia Cannon  
5346 Broad View Avenue NE  
Tacoma, WA 98422  
[cj.cannon@comcast.net](mailto:cj.cannon@comcast.net)



PO Box 658 / Olympia, WA 98507-0658 / 1414 Cherry St. SE / Olympia, WA 98501 / 360.943.1600 / [awb.org](http://awb.org)

September 15, 2017

Stephen Atkinson  
Senior Planner  
Tacoma Planning Commission  
747 Market Street, Room 345  
Tacoma, WA 98402

*Re: Proposed Tacoma Tideflats Interim Regulations*

Dear Mr. Atkinson,

Thank you for considering the Association of Washington Business's (AWB) comments on the City of Tacoma's Planning & Development Services Department Tideflats Interim Regulations document. The proposed Tideflats Interim Regulations are concerning to members of the business community.

AWB is Washington's oldest and largest statewide business association, and includes nearly 7,000 members representing 700,000 employees. AWB serves as both the state's chamber of commerce and the manufacturing and technology association. While its membership includes major employers like Boeing, Microsoft and Weyerhaeuser, 92 percent of AWB members employ fewer than 100 people. More than half of AWB's members employ fewer than 10.

While AWB members acknowledge the need for conscientious policymaking processes, which recognize subarea characteristics, we share individual AWB members' disapproval of an outright, and indefinite development prohibition. City officials should instead work to achieve a better balance between developing subarea plans and recognizing the economic opportunities found in the Tacoma tideflats.

The Tacoma tideflats area hosts interstate and international trade vital to the local, regional, and statewide economic *and* environmental health. Enacting a landscape-wide prohibition on development would cast a chilling effect on employment growth, housing, and economic development. Many Washington state businesses rely on the trade access provided by the tideflats. Opportunities exist now for our state to further nurture those business relationships with the Pacific rim that will provide future sustained economic growth for not only Tacoma, but all of Washington.

AWB also shares the concerns regarding reclassification of "high risk/high impact industrial uses." To equate industrial uses with high risk does not adequately consider the economic and human impact of overly restrictive regulations. Family wage jobs are critical to the fabric of a healthy community and a healthy state.

It is unclear when the interim regulations would be lifted to ensure that sustainable new development could move forward. Washington state's careful protection of our region's vital ecology during business development processes lengthens both siting and expansion timelines. As such, the absence of a sunset



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date for this prohibition will create regulatory uncertainty and prevent businesses from planning growth in the tideflats region even after the subarea plans are completed.

We ask the City of Tacoma Planning & Development Services Department to reconsider its proposed interim regulations.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gary Chandler". The signature is fluid and cursive, with the first name "Gary" being more prominent than the last name "Chandler".

Gary Chandler  
Vice President  
Government Affairs

## Wung, Lihuang

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**From:** Sarah Cornett <sarah@wpsr.org>  
**Sent:** Friday, September 15, 2017 9:31 AM  
**To:** Planning  
**Subject:** Tideflats Interim Regulations Comment from Washington Physicians for Social Responsibility

Dear members of the Tacoma Planning Commission,

Thank you for reviewing the need for regulations protecting the Tacoma Tideflats from fossil fuels. From our perspective as an organization of over 800 health professionals across the state, we urge the Commission to adopt these regulations to protect our communities from the real and severe health consequences of fossil fuels.

There's no getting around the fact that fossil fuels are bad for our health. The diesel particulate matter emitted by their production and transport, easily inhaled, is associated with asthma, heart disease, and lung cancer. Children and older adults are particularly vulnerable. As many residents said on Wednesday evening, pollution in Tacoma causes real harm.

To protect health and ensure long-term safety, we should be talking about clean energy projects that would support job creation and the health of our region's families and environment. The consequences of fossil fuel projects are too severe to ignore.

Thank you for your commitment to an informed planning process. We urge you to adopt these regulations to protect the health of Tacoma's residents and environment.

Thank you,  
Sarah Cornett  
Climate Program Organizer

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Sarah Cornett  
Climate Program Organizer  
Washington Physicians for Social Responsibility  
Office: [\(206\) 547-2630](tel:2065472630)  
Cell: [\(916\) 340-5163](tel:9163405163)  
[wpsr.org](http://wpsr.org)

## Wung, Lihuang

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**From:** Marlene Crumpton <marlenecrumpton@gmail.com>  
**Sent:** Friday, September 15, 2017 4:33 PM  
**To:** Planning  
**Subject:** Tideflats Interim Regulations

Hello to all the members of the planning commission.

First, I want to thank you for providing opportunity to your community to add public comment to the process of attaining a balanced approach to put in place protection of the tideflats with your recommendations for interim regulations, is important to the future of us all. We living in the Western Washington area care what happens in our beautiful bay, the tideflats. This area affects every aspect of people's lives. People that live live up and down the west coast, for example. Not just Tacoma. We are but a microcosm in this wheel of life. Because all of us who live in Tacoma are first affected by our immediate environment, we feel perhaps more urgency to take proactive steps to engage in solutions that protect our fragile existence. But, everyone in Washington state is affected by decisions on their future made here in Tacoma.

Many spoke of our quality of life. Many efforts have been made to attain quality of life. Many people spoke about that at Wednesday evenings public hearing, including myself.

Consider please how much our air quality was affected by the fires that are still burning in our local vicinity during the week after Labor Day weekend. Before the week was over, there very hot days which were covered with smoke and ash making it dark all day so that at 4 pm it seemed like a winter day in December. The air was unbreatheable. Those fires were not here in Tacoma, but we were all affected. In 2015 there was a very real drought, all of the west coast was full of fires from California to British Columbia and eastward through Canada and Montana.

Even though this year in 2017 we had more than our normal amount of rainfall in our area, now we are once again in drought conditions.

In 2016 there was a truck fuel spill on I-5 around the Fife area and the freeway was shut down. The traffic was a mess. Those of us trying to attend the meeting of the Port Commissioners, had trouble getting there. Freeway traffic was backed up for miles and for hours. There was no way an emergency vehicle could have gotten to that building in a timely manner. Even the expected guest speakers could no get to the meeting in a timely manner. That was "ONLY" an accident on the freeway. There would have been an even bigger problem had there been a need for everyone in the area to evacuate had their been any industrial accident anywhere in the Port.

Wednesday night there was one business man in particular who referred to us 800 people signed up to speak, "as a few hysterical people". I am paraphrasing his words. I hope you all will seriously consider the safety, well being, health of every one of us: rich, poor and in-between, when pondering what recommendations you present to the city council. A pause NOW with interim regulations on future and current existing "fossil fuel" facilities including rail can only help benefit everyone for the long term.

There needs to be time to reflect on all aspects of what direction the city takes for our future. Port lawyers aside, If we continue to geed the dying "fossil fuel" industry, there may not be any quality in the future of whoever or whatever survives the potential for disaster that continuing this truely unsustainable "fossil fuel" dependency will bring.

Thank you for the hard work you have done so far. I know you have a difficult task and I know you will make the right decision. Thank you again, Marlene Crumpton

P.S. I do not live in Northeast Tacoma. I live in the South End council area right next to Eastside and Dome Top and the I-5 corridor

## **Wung, Lihuang**

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**From:** adigdana . <adelinadana@gmail.com>  
**Sent:** Thursday, September 14, 2017 9:00 PM  
**To:** Planning  
**Subject:** Please Put a Hold on New Fossil Fuel Facilities

Dear City of Tacoma Planning Commission,

As a resident of Tacoma, I do NOT want more pollution, more danger, more environmental destruction here, nor upstream or downstream. Please put a hold on coal and new fossil fuel facilities and expansion of existing ones. We could be the city of Destiny by creating clean energy jobs and caring for our environment.

Kind regards,

Adelina Dana  
1519 N Monroe St  
Tacoma, WA 98406

## Wung, Lihuang

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**From:** Noah Davis <electnoah@noah4port.com>  
**Sent:** Friday, September 15, 2017 10:32 AM  
**To:** Planning  
**Subject:** Tideflats Interim Regulations

Thank you for holding the public hearing on Wednesday September 13, 2017.

Although I spoke there, due to time limitations, I could not address other important issues regarding the proposed interim regulations.

As I did say at the hearing, interim regulations are absolutely necessary because the safety of the public and environment are at stake and because the Port has consistently failed to consider and look after those interests (the methanol and LNG facilities being the two most recent examples).

The City of Tacoma must step up to protect its residents from the dangers of fossil fuel terminals and bulk storage. These dangers are extremely real and could result in thousands of casualties.

On top of the safety risks, the dependence on fossil fuels are accelerating the demise of our climate, environment and planet; and each city, county and state must do its part to curb its contribution to greenhouse gas emissions. While the Port doesn't want to look outside the Port (at where fossil fuels are coming from), don't we have some obligation to do so. Just as we wish not to purchase textiles from child labor centers, we don't want to encourage fossil fuel production either (when it causes environmental harm at the site of extraction).

We can't be the most lax jurisdiction where all the fossil fuels pour into to be stored and exported. We can't continue to go down the road of environmental degradation while we ignore the consequences.

And receiving payment of big \$\$ from big oil and other fossil fuel companies is not enough to change that.

And as for the creation of jobs and dependence of the economy, Tacoma will be better served by making the city/port safe with less pollution as that will do more to draw businesses and investment to Tacoma and our region than any one or two or five or 100 new bulk fossil fuel storage facilities ever could.

The port's shortsightedness is also going to cost the city taxes in terms of loss of homeowner value unless the City steps up to prevent more bad decisions.

As for category 1 and the issue of notice and expanding that notice, i agree that 400 feet is not designed to give notice. Nor is 1000 feet. 2500 is a much better mechanism for notice, but depending on the size and scope of the project (take LNG for example), since the catastrophic effects would reach miles, the minimum zone of notification for a project of that magnitude should be greater (i.e. 5000 feet or more).

As for category 2 and the banning of non-industrial uses in the Port. the question is Why? it seems that the Port is pushing that agenda, that and Category 3, banning new residential developments along marine view drive.

Originally, the residents asked for a buffer zone of new industry along the edges of the port, including marine view drive. Where has that gone? Residences can't be built, but new industries can along the buffer?

I'm sorry, but that doesn't make complete sense to me.

We're going to allow industry into these buffer zones but not residences. But what about the ideas of green spaces and parks?

And why are we not allowing Paul Allen (if he chose) to purchase and build a more permanent homeless encampment near the Foss Waterway, complete with medical services and stores and transportation?

Why would we want to prevent a walk in emergency clinic to be built in the Tideflats to help injured workers on a more immediate basis?

Why would we want to prevent a stadium to be built near the Foss Waterway or along 509 that could host an NHL or NBA team or a "D" League NBA team or AHL or similar league minor league hockey team?

Is it because the Port wants to monopolize the heavy industry uses and not be encroached upon?

But what if those industries are cleaner, greener and create more jobs? And are better for residents and workers?

Thank you,

Noah Davis

## Wung, Lihuang

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**From:** Rachael De Souza <desouza.rachael@gmail.com>  
**Sent:** Friday, September 15, 2017 2:47 PM  
**To:** Planning  
**Subject:** Fwd: Tideflats Interim Regulations comments

Thank you for including me in this process.

I am Rachael DeSouza, a nurse living in Tacoma. I work at one of the big Tacoma hospitals as well as part time in a public health agency. I have graduate degrees in community health nursing, and in occupational and environmental health from the University of Washington. I grew up in and love the Puget Sound area. My experiences in work, academics, and life, teach me that we must stop relying on fossil fuels. I ask that you **adopt regulations that prohibit the establishment of new fossil fuel related industry, as well as prohibit the expansion of existing fossil fuel related industry, in the Port Tideflats.** This is good policy for human and environmental health.

Specifically, in your proposed Category 4 Restrictions, I recommend that you **include the prohibition of expansion of existing fossil-fuel related industrial uses.** Please consider the following:

- Allowing existing industry to expand while prohibiting new industry would create an unfair advantage (monopoly) for those already in business.
- This is not an anti-jobs stance, because limiting polluting jobs will allow for the growth of clean job opportunities. Non-polluting industrial uses in the Port should be allowed to expand in order to facilitate this transition.
- Allowing expansion of existing dirty industry will not solve the problem of fossil fuel pollution and dangers in the port, meaning that the thousands of people who are outraged by fossil fuel industry in the port will not be appeased nor silenced.

I also recommend that the regulations limit the fossil fuel related storage capacity of the Port Tideflats. Storing large amounts of flammable fossil fuel products poses health and safety risks to which workers and residents cannot afford exposure.

Regarding the proposed Category 1 regulations, I support notifying as many people as possible in the permitting process for heavy industrial projects in the Port Tideflats. However, I recognize that funds are limited, and I ask you to review your current notification practices and evaluate their effectiveness. Is this a meaningful way to engage residents? If not, how can we better notify and engage residents of heavy use projects under review? I support expanded notification zones, and ask that it is done with good stewardship of our funds.

Regarding the proposed Category 2 regulations, I am unclear why hospitals and parks need to be included in this process. Certainly, the detention center should not expand (and I am actually opposed to having a detention center), but limiting residential uses in this broad way seems confusing. Similarly, regarding Category 3 regulations, I understand why we don't want more people living near a dangerous toxic port, but including real estate issues in these regulations seems confusing. In this regulatory effort, my main and extremely urgent concern is limiting fossil fuel use in our Port Tidelands. Let's focus on fossil fuels.

The use of fossil fuels in the Port Tidelands is an urgent health and safety matter for workers and residents in this area, requiring action by responsible leaders. Adopting interim regulations is appropriate until the Tidelands Subarea Planning process is completed.

Thank you,

Rachael De Souza

[desouza.rachael@gmail.com](mailto:desouza.rachael@gmail.com)

[\(253\) 906-9036](tel:(253)906-9036)

4002 South Park Ave

Tacoma WA 98418

## Wung, Lihuang

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**From:** betty devereux <bettydev2@yahoo.com>  
**Sent:** Friday, September 15, 2017 4:42 PM  
**To:** Planning  
**Subject:** tideflats interim regulations

Hello! i attended the planning commission meeting Wednesday night. i was there for 2.5 hours and listened to many people's comments regarding this issue. By my (unofficial) count, there were 28 people who spoke in favor of these IR's...and 8 who spoke against them. Those who spoke against were very worried about jobs in this area, and they have a right to be worried. Tacoma needs good "family wage" jobs....I am all for that. what i don't understand is why people feel that those jobs can only be had in the fossil fuel industry? Times are changing and we need to get ready for the next era of family wage jobs that will come from solar/wind and other alternative energies.

Therefore, i want to cast my vote with the YES we need the IR's NOW.....  
thank you for your attention to this matter.  
betty devereux

## Wung, Lihuang

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**From:** Tom Ebenhoh <tomeben@yahoo.com>  
**Sent:** Thursday, September 14, 2017 6:58 PM  
**To:** Planning  
**Cc:** Atkinson, Stephen  
**Subject:** Input: Proposed Tideflats Interim Regulations

Planning Commission:

1. Recommend to not have Interim Regulations and allow the process of the Sub-Area Plan to run through its completion; however, it appears Interim Regulations will be proposed for Amending the TMC.
2. Concur with Category 1 and 3 Proposed Amendments.
3. Concern with Category 2 and 4 Amendments as written. Appears language may have significant impact on existing business community, retaining those businesses, specific business lines could appear targeted by the Amendments, future City/State economic development, and potential litigation for the City of Tacoma.
4. Although not speaking, attended some of the public hearing on 13 September. There were discussions on what is being proposed lacking more projected data on what impacts a Cat 2 and 4 Amendment could have on the economy for the City of Tacoma/State and more specific data/market research to compare with what other Cities have done that may be similar - and those outcomes. I concur.
5. What are goals of the Amendments. If not Tacoma, businesses may find go elsewhere along the coast for their proposed prohibited uses. Secondly, what is the plan to fill the loss if/when prohibited use type businesses leave, or choose not to develop in Tacoma.
6. Balanced approach in what is proposed to the City Council. Concur with a validated potential safety and environmental impact consideration while addressing those items in my #3, #4, and #5 input.

Appreciate all your efforts and City staff. Understand this is a considerable amount of effort among the multiple issues happening simultaneously in the City.

Respectfully ask acknowledgement of this e-mail.

Input may or may not represent New Tacoma and/or Community Council member inputs.

Tom  
Chair, NTNC  
Board Member, CCoT  
Member, Friends of the Foss

## **Wung, Lihuang**

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**From:** carolyn deford <cdeforde@gmail.com>  
**Sent:** Friday, September 15, 2017 2:29 PM  
**To:** Planning  
**Subject:** Tideflats Interim Regulations

My name is Carolyn DeFord Eden. I am a Puget Sound resident, mother, business owner, representative of the Puyallup Water Warrior Council, and an enrolled member of the Puyallup Tribe. My people have lived on this land since time immemorial. My ancestors resided along the Puyallup River and along the foot hills of Mt. Tahoma. This is my ancestral land. 150 years ago, colonizers were greeted as guests here. Although our land was taken violently and under great duress our ancestors in a last ditch effort to protect our people signed the Medicine Creek Treaty in 1854.

I was raised to seek the counsel of my elders when my heart is torn or I need direction... To seek the counsel of my elders when making major decisions. These wise ones have never steered me wrong. I'm curious if you were to seek the counsel of your grandparents, mothers, and aunties what would they say about PSEs proposed LNG facility? About the hazards? I hope this incites your curiosity and you do seek their opinions. I read an article and want to share a quote....

***"A Complete Absence of Morality" ~ Pierce County Councilman in comment to a recent article on EPA standards.***

We've been witnessing what feels like "A Complete Absence of Morality". Recently we all watched in fear for lives in the wake of Hurricanes Harvey and Irma. We've seen and heard the stories how many Florida residents fled Irma leaving their pets behind. Dogs tethered and left to perish in the storm.

This is how we are feeling to be residents and employees living in the wake of the proposed PSE LNG facility. Tethered out to perish while those who have the power to save us smirk and play with their phones while we plead for your protection. "A Complete Absence of Morality"

I support Interim regulations in the Tideflats restricting expansion of existing heavy industry and limiting new heavy industry to include; mining, smelting, refining/production/storage of any other petrochemicals, acids or harmful toxins.

I support non polluting business the right to expand within reason.

I support prohibiting the construction of new coal, oil, gas and other liquefied fossil fuel terminals as well as the storage, production, manufacture and processing or refining of other petrochemicals, smelters or acid manufactures.

I urge you to support the wishes of the Puyallup Tribe in regards to Tideflats Interim Regulations.

We are watching PSE continue on the construction of the LNG facility illegally, without proper permits, without Notice of Construction and we watch the City of Tacoma, PSCAA and other agencies who should be stepping up to protect the millions of people who count on you do nothing to protect us. "A Complete Absence of Morality" Allowing a hazard to be built in a hazard zone while the people say "No LNG" simply for profit is "A Complete Absence of Morality".

I am pleading and urging the Planning Commission and Tacoma City Council to investigate and take action to stop PSEs LNG construction and Facility. I ask that you thoroughly review their permits, order an updated Environmental Impact Study and review it thoroughly. Communities all across the world have unified to form international resistance to LNG because of the proven health risks.

Existing LNG facilities internationally have had detrimental impacts on the health of their nearby communities. Increased respiratory issues, cancers, and infant mortality rates have all been thoroughly documented. Do you care? It really looks as if the Puget Sound Clean Air Agency, Planning Commission and the Tacoma City Council is taking a payoff and essentially sacrificing our city. "A Complete Absence of Morality"

To allow fossil fuel and heavy high risk industry to expand in a lahar zone, tsunami zone, liquifaction zone, on an earthquake fault line, at the foot of an active earthquake is as ludacris as it sounds. Please look into the scientific data around this plant and do not buy into PSEs greenwashing. I do not want our beautiful city to be all over the news like Houston showing all of our dirty industry on fire polluting our precious and fragile ecosystem. Again, "A Complete Absence of Morality"

Please consider the relationship with the Puyallup Tribe and City of Tacoma and City of Fife. We need to maintain this partnership to be a stronger, healthy city. Allowing for the continued pollution of the Tideflats and the LNG plant to be build in this location jeopardizes our land and our sacred salmon. Our salmon runs are already endangered.

Thank you for your time

Carolyn Deford Eden

16901 Silverbell Ct

Yelm, WA 98597

[cdeforde@gmail.com](mailto:cdeforde@gmail.com)

## Wung, Lihuang

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**From:** Catherine A Escalante <cescalante@pugetsound.edu>  
**Sent:** Friday, September 15, 2017 12:37 AM  
**To:** Planning  
**Subject:** Tideflats

I believe it would be terribly wrong to put anything that has to do with natural gas or coal anywhere near our bay and natural waters. We already learned from Asarco what a disaster that can be. What goes into the land and water stays there. People fish in the bay and connecting bodies of water. The bay is already somewhat polluted why make it worse. Who is going to pay to clean up the inevitable mess. Is it worth the money? What are you going to do with a polluted bay. It's to late then. Are you the one going to tell the people they can no longer let their children play in the water there, no one can fish there anymore, no paddle boarding, no kayaking, no diving anymore because it's just not safe? Is it going to smell so bad people won't want to walk on Shuster Parkway. Tacoma's already got a bad rap for smelling. What about all those fancy apartments, and shops on Ruston Way. How nice on a polluted bay. Ming on the tideflats? You got to be kidding. Thank you for your time. Cathie Escalante

## **Wung, Lihuang**

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**From:** Nancy Lee Farrell <nfarrellwa@gmail.com>  
**Sent:** Friday, September 15, 2017 4:35 PM  
**To:** Atkinson, Stephen  
**Subject:** NO, NO, NO TO LNG!! No more dependence on fossil fuels!!

## Wung, Lihuang

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**From:** Laura Fox <lfox@kiddermathews.com>  
**Sent:** Friday, September 15, 2017 1:05 PM  
**To:** Planning; Strickland, Marilyn; City Manager; Blocker, Keith; Campbell, Marty; Ibsen, Anders; Lonergan, Joe; McCarthy, Conor; Mello, Ryan; Thoms, Robert; Walker Lee, Lauren; Boudet, Brian; Wung, Lihuang  
**Cc:** Laura Fox  
**Subject:** Interim Regulations

Greetings,

While I am supportive of the sub area plan, I am not supportive of interim regulations. There are ample processes required to obtain a permit for anything. We already have one of the most highly scrutinized, onerous permitting process in the country.

The sub area plan allows time for a thoughtful process. Interim regulations would be a quick, far less than fully informed, reaction where one is not needed.

I strongly urge you not implement interim regulations.

Thank you,  
Laura

Laura Fox, CCIM  
First Vice President, Partner  
Kidder Mathews  
1201 Pacific Avenue, Suite 1400  
Tacoma, WA. 98402  
T 253-722-1441  
C 253-686-5888  
[lfox@kiddermathews.com](mailto:lfox@kiddermathews.com)



Puget Sound Energy  
P.O. Box 97034  
Bellevue, WA 98009-9734  
[PSE.com](http://PSE.com)

September 15, 2017

Chris Beale, Chair  
Stephen Wamback, Vice-Chair  
Members of the Planning Commission  
Tacoma Municipal Building  
747 Market Street, Room 345  
Tacoma, WA 98402

Dear Mr. Beale and members of the Planning Commission,

Thank you for providing all stakeholders in the future of the Tacoma Tideflats with an opportunity to comment on the Tideflats Interim Regulations proposed for implementation while the Port/Tideflats subarea planning process is underway. As you know, Puget Sound Energy (PSE) is a tenant in the Port of Tacoma, where it is constructing a liquefied natural gas (LNG) processing and storage facility to provide a cleaner transportation fuel as well as much-needed additional natural gas for customers in the growing Tacoma area on the coldest nights of the year. We appreciate the ability to participate in this planning process.

LNG is natural gas—the same natural gas we use in our homes and businesses, only refrigerated to minus-260 degrees Fahrenheit. At that temperature, it turns into an odorless, colorless liquid that is not explosive, toxic or flammable. When warmed, it's the same fuel we all use in our stoves and furnaces, and requires the same safety precautions. PSE's Tacoma LNG facility is known as a 'peak-shaver', which is a facility that can store natural gas in liquid form to have it available during times of peak demand by our residential, commercial and industrial customers.

State and regional policies encourage the use of cleaner fuels to meet greenhouse gas (GHG) emission reduction objectives. Washington's 2012 Energy Strategy calls for the implementation of clean energy strategies in the transportation sector under Revised Code of Washington (RCW) 43.21F.088(1)(e) and the reduction of GHGs under RCW 70.235. Regionally, the Pacific Coast Action Plan on Climate and Energy, signed by the leaders of California, Oregon, Washington, and British Columbia on October 28, 2013 (Pacific Coast Collaborative 2013), calls for the transition of the West Coast to clean modes of transportation and the reduction of a large share of GHG emissions with actions that, among others, support emerging markets and innovation for alternative fuels in commercial truck, bus, rail, port, and marine transportation. Natural gas has been identified as a key resource to implement such reductions; see, for example, RCW 46.37.467(2), and the United States Department of Energy Alternative Fuels Data Center at [http://www.afdc.energy.gov/vehicles/natural\\_gas\\_emissions.html](http://www.afdc.energy.gov/vehicles/natural_gas_emissions.html).

Natural gas such as that which will be liquefied and stored at Tacoma LNG is helping the transportation sector reduce greenhouse gas emissions and virtually eliminate visible particulate emissions, which results in better air quality with the accompanying reduction in health risks and reduced risk of potentially damaging diesel fuel spills.

The facility will generate important economic benefits for all Tacoma and South Sound residents. In addition to helping local employers like TOTE remain competitive, it will create at least 250 construction jobs and 18 permanent jobs. The economic activity from the project will create another 125 permanent jobs in the region. In addition, the facility will contribute millions of dollars in new tax revenues that will benefit local schools, county services, and other state and local government services.

The City of Tacoma conducted a rigorous engineering and environmental review of the Tacoma LNG facility before various development, use and construction permits for the Project were sought and issued. The storage tank for the LNG at our Tacoma facility, the subject of considerable study in the Project EIS as well as by affected agencies and interested parties, is not pressurized and therefore cannot explode. The full-containment tank (tank with two walls) is the strongest and safest construction possible, and is surrounded by safety areas and measures set by federal and state requirements. These safety measures include ground-stabilizing improvements and elements such as ponds, berms and fences, which capture any inadvertent release of liquid until it vaporizes and dissipates into the atmosphere.

As the largest and oldest energy provider in the State of Washington, PSE places safety first in all aspects of its operations, which are guided and informed by federal, state and local regulations and codes to which we are subject. We are a Washington regulated utility and must account for all our actions to the Washington State Utilities and Transportation Commission, and are answerable to our customers and the jurisdictions in which we serve them. Because of the highly-regulated nature of the natural gas business we encourage the City of Tacoma, by this letter, to retain expert resources that will facilitate and support the City's understanding of natural gas nomenclature, properties, and regulation in order to ensure that the four areas of the interim regulations, all of which PSE has an on-going interest and stake in, are correctly understood, clearly presented and properly imposed. To that end, we support the City's effort to conduct a timely subarea review process while recognizing PSE'S on-going interest in and standing to participate in this planning process.

As a long-term Port tenant, regional utility service provider and taxpayer in the City of Tacoma, we look forward to continued engagement in both the interpretation and application of both interim and any adopted permanent regulations regarding PSE's land and shoreline uses and activities in the Tacoma Tideflats.

Regards,

Roger Garratt  
Director Strategic Initiatives  
Puget Sound Energy

## Wung, Lihuang

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**From:** Christine Giannini <c.gian7@gmail.com>  
**Sent:** Friday, September 15, 2017 4:59 PM  
**To:** Planning  
**Subject:** Tideflats Interim Regulations

Hello,

I own a home in South Tacoma. I'm retired from working in healthcare as an acupuncturist and as a medical transcriptionist for the UW Medical Center. My son, his wife and my grandson live in the South Tacoma house. I live in South Hill south of Puyallup. My son is in his final year toward a BS in Computer Science at UW Tacoma. They would consider staying in Tacoma were it not for the prospect of more polluting industries. They are in their early 30's and that generation is very very cognizant of environmental risks. My son even researches ocean current patterns in looking for good places to settle. Tacoma is losing its best and brightest in the poor environmental choices it makes, and it is breaking up families as a result.

I went to the hearing Wed but didn't speak as there were many already signed up. I did hear a chemical engineer say there should be a 3-1/2-mile vapor exclusion zone around the LNG plant and that she saw no mention at all of a vapor zone in the plans. She said based on her experience with rocket and other volatile fuels at Boeing, there is a significant fire risk from an LNG plant, and that other similar plants involve DOT and the Coast Guard in the planning process - this has not been done for the LNG plant here. If for no other reason, this alone should cause the Commission to adopt the interim regulations and halt issuance of any further permits for the LNG plant until the vapor zone is addressed.

I also heard many NE Tacoma residents complain bitterly about how much they're suffering currently from air pollution from the port. That is totally unacceptable. Air quality should be considered important on a par with water quality. It is particularly damaging to young children, whose lungs are still developing, as well as to people like my neighbors, who are older with COPD and other chronic conditions.

My son tells me that distance is definitely a consideration for tech companies using the internet to be near others they interact with because the internet travels by underground cables, not by satellite. Tacoma, being close to Seattle, is in prime position for companies there to expand or spin off. UW Tacoma has one of the few ABET-accredited BS in Computer Science programs in the country, whose graduates are looking for work locally if possible. That means it's an engineering degree.

Thank you for considering my family in your decision.

Sincerely,

Christine Giannini

**From:** colleengray [mailto:hamsterinatina@gmail.com]

**Sent:** Friday, September 15, 2017 3:46 PM

**To:** Atkinson, Stephen

**Cc:** Ibsen, Anders; Thoms, Robert; Blocker, Keith; Campbell, Marty; Lonergan, Joe; Walker Lee, Lauren; McCarthy, Conor; Mello, Ryan

**Subject:** Please protect Tacoma from new or expanded fossil fuel industry

Dear Planning Commissioners, City Council Members and Mayor,

My husband and I are residents of this city. We are enthusiastically encouraging all of you to consider a pause of allowing more fossil fuel industry in our city and port. We want a pause on more expansion as well as a pause on new development.

We are not NIMBY people. We simply want the folks in charge of our city and its glorious surroundings to consider the worst case scenario when approving development. Fossil fuel industry is dirty, polluting and potentially dangerous at all contact points including railroads and shipping terminals. These industries also compound the damage done by environmental events like earthquakes, tsunamis, volcanic eruptions, etc. in ways we refuse to imagine. I highly recommend reading the book "Full Rip 9.0" by Sandy Doughton. It is not only an engrossing read, it is necessary to understand what any major earthquake, and there are three types we can enjoy and are well overdue to enjoy in our area.

My husband and I are not anti-labor. Our fathers were union members and I was a union member before becoming self employed. Family-wage jobs are critically important. However, fossil fuel industry is not our only choice for jobs. I am asking all of you to court companies that are more future-proof than fossil fuels.

Why invest in infrastructure for an industry with less than 30 years to thrive? And that is a generous estimate as we moving away from at accelerating rates. I plan to buy a whole house battery next year so that I can fire Puget Sound Energy. Cost is a reasonable \$5,000. I am buying from future-proof Tesla. I can't help but note that Reno, Nevada is currently enjoying the robust growth and development Tesla has brought to their city. I was there last August and the economy is drastically improved as is local optimism. Currently Tesla is considering where and how to expand manufacturing of their solar roofing tiles. Stocks were sold out days within announcing availability. Amazon is potentially another future-proof company. I'm certain there are scores more. Even today I was researching grid systems for installing permanent paving at one of my rentals. They cannot make enough of the stuff to supply current demand.

Thank you for considering out comments and all the work you do.

Colleen Gray

Stanley W. Shaw



Colleen Gray  
Idea Hamster  
AnythingCreativeLLC  
3818 South 9th Street  
Tacoma WA 98405  
253.666.2446

September 14, 2017

Tacoma Planning Commission  
[planning@cityoftacoma.org](mailto:planning@cityoftacoma.org)

Re: Tideflats Interim Regulations

Dear members of the Tacoma Planning Commission,

The City of Tacoma has the opportunity right now to protect the Tacoma Tideflats from new or expanded fossil fuels. Thank you Planning Commission for working on a balanced approach to putting in place protections for the Tideflats.

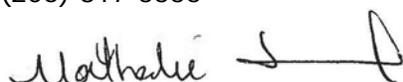
My name is Nathalie Hamel. I live in Tacoma, near the shores of Puget Sound, with my husband Peter Hodum and our 6-year-old daughter. We are big outdoor enthusiasts. We regularly kayak in Commencement Bay and around Puget Sound. I work at the Puget Sound Partnership as an analyst, and my husband is a biology professor at the University of Puget Sound. We are proud to be part of the Tacoma community and recognize that we all have a part to play in avoid any new threats to Commencement Bay, not to mention avoid contributing further to the problems of climate change. **I am commenting in solidarity with the Protect Tacoma's Tideflats Coalition.**

Here are key points that I ask you consider as you review the regulations:

1. Interim regulations should focus on pausing new and existing fossil fuels.
  - The imminent threat is around new and expanded fossil fuel facilities.
  - This should be a 'fossil fuel' only regulation.
2. Include in the pause the expansion of existing fossil fuel facilities in the Tideflats.
  - Right now, the draft regulations do not address existing fossil fuel infrastructure. With the lifting of the national ban on exports and our current federal administration's focus on increasing oil and gas production, there is a real concern around the existing facilities expanding and turning into export terminals.
3. The definition of "terminal" should include rail.
4. Please move interim regulations to the City Council more quickly.
  - The longer this takes, the more likely we are to see more proposals, which in turn cost the citizens and City more money and interfere with a strong sub-area planning process.

Thank you,

Nathalie Hamel  
(206) 817-3336



## Wung, Lihuang

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**From:** Chris <heiberg4chris@msn.com>  
**Sent:** Friday, September 15, 2017 12:28 PM  
**To:** Planning  
**Cc:** Ardheiberg@msn.com; Chris; Leheiberg@msn.com; Randy Heiberg  
**Subject:** Interim rules for Tide flats-Draft letter

Dear planning commission,

My name is Barbara Ardelle Heiberg and I am a lifelong resident of pierce county. I have been located at 5324 12th Street N.E. Tacoma, WA 98422 for over 62 years.

I attended your public meeting last night because your Interim Tide flat Regulations-Items #3 and 4, effect my properties asset value rights to future development of my property on the hillside above Marine View Drive.

My residence (Parcel # 0321361036) sits on 8.33 acres which is included in your proposed residential development and mining rights moratorium(Maps 3 and 4). These proposed regulations will severely impact and devalue the asset of my undeveloped property and render it to a useless tax burden, only to accommodate the City of Tacoma's Greenbelt Buffer Zone to the Tide Flat's Heavy Industrial Zoning. I am writing to request that your boundaries be adjusted to EXCLUDE my property from your regulations.

I look forward to hearing your response to my request.

Sincerely,  
B. Ardelle Heiberg  
[Ardheiberg@msn.com](mailto:Ardheiberg@msn.com)  
253-927-6247

## Wung, Lihuang

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**From:** Bon <vonwheelie@hotmail.com>  
**Sent:** Friday, September 15, 2017 4:37 PM  
**To:** Planning  
**Subject:** Regarding Tideflats Regulations

Dear Planning Committee,

I was born in Tacoma. I've lived here all my life. People would ask me where I was from. When I told them Tacoma, the answer was about the same "Oh, sorry." We've been the butt of the joke for too long. And for good reason. Tacoma has been a toxic mess for many years. With Asarco and Hooker Chemical and Kaiser finally being cleaned up, I figured we'd finally gotten smart enough to realize heavy industry was killing this town. We have a long way to go but at least it was in the right direction. Tacoma was finally losing that "armpit of the Northwest" name.

I urge you to keep our precocious waterway clean. What these union guys and the city is proposing will drag us right back to the bad old days. They claim it's "green". It's not. I think we need to listen to our indigenous people for a change. They are on the right track. Please hold more meetings (I got to attend the one on Wednesday), do more research, and listen to the citizens who are deeply concerned about how this area is developed.

Thanks,  
Bon Henderson  
Tacoma, WA



September 14, 2017

Stephen Atkinson  
Senior Planner  
Tacoma Planning Commission  
747 Market Street, Room 345  
Tacoma, Washington 98402

RE: Public Comment on Proposed Tideflats Interim Regulations

Dear Mr. Atkinson:

The Washington Association of Wheat Growers (WAWG) and the Washington Grain Commission (WGC) appreciate the opportunity to submit the following comments in response to the Planning Commission's proposed Tideflats interim regulations. Specifically, we are pleased to see that the latest recommendations do not propose designating grain terminals as high risk/high impact uses which had been in previous proposals. Such a designation would have prohibited the development of a new grain terminal or expansion of the existing terminal in the Tideflats. With approximately 90 percent of Washington's wheat being exported overseas, we oppose regulations that restrict trade or export opportunities.

WAWG is a nonprofit trade association that is comprised of 1,700 members which includes wheat farming families and industry supporters. There are roughly 3,715 active wheat and barley farmers in Washington State and nearly all wheat farms in our state are owned and operated by families. We fight every day to ensure that life on the family farm continues to prosper and grow. The WGC focuses on marketing and research as it represents all wheat and barley farmers in Washington with essential infrastructure and being a reliable supplier of quality grain to world markets critical for our export dependent state.

The state's agriculture and food processing industry is a major economic driver for rural and urban communities on both sides of the Cascades. Second in size only to aerospace, agriculture employs **164,400 people** and is the state's second largest export category of products shipped through Washington ports.

Specifically, the wheat industry in Washington State was valued in 2012 at more than \$1 billion. According to an economic study by Washington State University, the state's wheat industry contributed another billion dollars to the state's economy through spending and employed more than 11,000 people.

As mentioned above, we were deeply concerned to see earlier proposals designating grain elevators as high risk/high impact uses which we do not believe was warranted and are pleased was removed. We urge the Planning Commission not to adopt final regulations that restrict trade opportunities for the wheat industry. As an industry, it is imperative that we expand our market opportunities, not restrict them.

Please feel free to reach out to us if you have specific questions or concerns about grain elevators or our industry. We are happy to be a resource to you.

Thank you for allowing us the opportunity to comment and for removing the restriction on grain elevators.

Sincerely,



Michelle Hennings  
Executive Director  
Washington Association of Wheat Growers  
109 E 1<sup>st</sup> Ave, Ritzville WA 99169



Glen Squires  
CEO  
Washington Grain Commission  
2702 W Sunset Blvd, Suite A, Spokane WA 99224

## **Wung, Lihuang**

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**From:** Janet Higbee <bumpy@icloud.com>  
**Sent:** Thursday, September 14, 2017 8:18 PM  
**To:** Atkinson, Stephen  
**Subject:** Tideflats Interim Regulations

Steve and Planners,

Thank you for your work on regulations and your presentation last week and comment solicitation last night.

Your plans simply are not robust enough in regards to protecting the waters from fossil fuels. Given their condition due to pollution allowed in the past, we must not compromise but rather protect the Tideflats to the fullest extent possible.

Please pause new or expanded fossil fuel industry at the Port.

Thank you,  
Janet Higbee-Robinson

## **comments on proposed Planning Commission interim regulations**

My name is Bruce Hoeft, and I have the good fortune to live in Tacoma. I remember what the Tideflats and Ruston Way looked like 30 years ago. I remember the smell. I have relatives who have suffered dramatic health consequences of exposure to industrial toxins in Tacoma back then.

And so I would like to thank the City Council and the Planning Commission for developing interim regulations to protect us from those kind of pollution threats. I look forward to the sub-area planning process to help us develop a vision for the Tideflats that will allow for a clean and prosperous future.

That future will not be prosperous if the Tideflats are flooded by sea level rise. Irma, Harvey, and weeks of recommendations to stay indoors this summer, due to the smoke from near and distant forest fires, show us that climate change is happening. We should not contribute to that change.

Thank you for recognizing the value of taking new fossil fuel projects off the table until the sub-area planning is completed. Please also adopt regulations that strictly limit expansion of existing oil and gas operations in the Port, including pipelines, rail, docks, processing and storage. Until the sub-area review is done.

I do not wish to speak poorly of the facilities we have in the Tideflats, but the oil industry at large has a long history of avoiding regulations it sees as constraining its profits. And profit they have, as well as a glut of product, which they would dearly love to sell elsewhere. The Port of Tacoma remains an excellent target for that activity.

One of the Port oil facilities made a blanket permit request for expansion this week. Approval of expansions would allow them to avoid regulations from the sub-area planning review. This is precisely the kind of maneuver that I fear, one that puts corporate profits ahead of the needs of the community.

This is our town, and we should be able to decide what activities are appropriate in it. We need strict interim protections, and we need to expedite their adoption, in order to avoid more placeholder permit requests that would allow fossil fuel facilities to grandfather their way around the sub-area planning process.

Bruce Hoeft 508 N 11th St. Tacoma WA 98403

## Wung, Lihuang

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**From:** DON JOHNSON <WEDDJOHNSON@msn.com>  
**Sent:** Friday, September 15, 2017 10:40 AM  
**To:** Planning  
**Subject:** citizen input regarding the Planning Commission's Tideflats Interim Regulation Proposal

15 September 2017

**To:** The City of Tacoma Planning Commission

**Regarding:** The Tideflats Interim Regulation Proposal

As a 28 year resident of University Place, I write out of concern for the health of our port. Please enact the interim regulations which you have proposed while you develop the long-term plan for the tideflats.

In response to people who express concerns about job loss and “a regulatory environment that stifles business”—please remember that our dynamic free market system means that in the course of its evolution some parts of the economy will shrink as others grow. The point of regulation should not be to protect every current business--large or small, local or invasive--regardless of our changing ecological context but rather to encourage the development of the economy in the direction that best fits with the future, that of our emerging post-fossil fuel world. Regulating toward a robust, sustainable economy is not about “reviving the rust belt,” as President Trump would have it, but about shaping our efforts and resources toward a more healthy future for all. For the sake of the public trust, regulations should be written that move us as a society toward greater health for our region, given the inevitability of coming economic-environmental changes.

Please do not withhold regulation—especially in this time of transition toward the long-term plan—simply to preserve a dying economic status quo.

Donovan D. Johnson

8814 53<sup>rd</sup> Street Court W

University Place, WA 98467

[weddjohnson@msn.com](mailto:weddjohnson@msn.com)

## Wung, Lihuang

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**From:** Michael <michael@polybagllc.com>  
**Sent:** Friday, September 15, 2017 1:38 PM  
**To:** Planning; Strickland, Marilyn; City Manager; Blocker, Keith; Campbell, Marty; Ibsen, Anders; Lonergan, Joe; McCarthy, Conor; Mello, Ryan; Thoms, Robert; Walker Lee, Lauren; Boudet, Brian; Wung, Lihuang  
**Subject:** Interim Regulations to limit economic growth and job creation

The interim regulations affecting the type of job providers and revenue generators that could locate to our Port of Tacoma are both extreme and unwarranted. This seems to be a theme with recent policy being supported and approved by the Tacoma City Council. The Tacoma Plastic Bag ban is a complete failure and is widely regarded as a boondoggle that enriches the NW Grocery Association and the environmental activist extremist groups that promoted it via their surrogates on the Tacoma Sustainability Commission. Meanwhile Small Business Owners and Tacoma consumers suffer under this ridiculous and useless ordinance. The interim regulations for the Port would be equally misguided and ideologically bankrupt. Tacoma needs good paying, family wage and full benefit providing jobs. Especially for those in the South End and East Side. Small and sometimes extreme special interest groups with no scientific leg to stand on other than fear and propaganda cannot continue to dictate policy for the citizens of Tacoma while the City Council rubber stamps their demands for political reasons. The interim regulations are an unnecessary job killer and stifle much needed economic growth. If these industries have the technology and safety protocols to operate in an ecologically sound manner while providing much needed revenue for the City and income and benefits for its citizens, they should be welcomed with open arms, not treated like a pariah on the basis of fear mongering and propagandizing by special interest groups who care only for their own backward agenda. I implore you to reverse this unfortunate recent trend of hostile business practices and reject the interim regulations. Tacoma citizens are paying attention to the decisions their elected officials are making. And they are not happy. More alarming, so are the industries that are looking to locate in communities that would benefit greatly from their presence and economic engine.

Sincerely,

Michael J Johnson  
Inside Sales Manager  
"Poly" Bag LLC  
[michael@polybagllc.com](mailto:michael@polybagllc.com)  
253-473-4660

## Wung, Lihuang

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**From:** Kalani Kauhi <kalani.kauhi@westrock.com>  
**Sent:** Thursday, September 14, 2017 6:44 PM  
**To:** Atkinson, Stephen  
**Subject:** Tideflat interim regulations

To council member,

My name is Christopher Kauhi and I'm the secretary for USW Local 237. I work down on the tideflats at WestRock formally Simpson Paper Mill. I've been employed at the mill for 13years, this mill has afforded me to raise my family ( my Son serving in the Airforce, my daughter who starts college at UW Tacoma, and my youngest who is in elementary). This Regulation I believe would impact not only my family but several hundreds of families. That work on the tideflat. I ask that you dive deep into this regulation before making your decision not only for me but for the many it would affect.

Thank you for your time.

Sincerely

Christopher kauhi  
USW Local 237 secretary

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Schnitzer Steel Industries, INC.  
1902 Marine View Drive Tacoma WA 098422  
(253) 572-4000

September 15, 2017

Via email: [planning@cityoftacoma.org](mailto:planning@cityoftacoma.org)  
Stephen Wamback, Chair  
City of Tacoma Planning Commission  
Tacoma Municipal Building  
747 Market Street, Room 345  
Tacoma WA, 98402

**RE: Public Comment on Proposed Tideflats Interim Regulations**

Dear Mr. Wamback and Members of the Tacoma Planning Commission:

At the Planning Commission's August 16, 2017 meeting, the Commission voted to limit the list of prohibited "High Risk/High Impact" under the draft proposed Tideflats Interim Regulations to those associated with fossil fuels, chemicals, and mining. Schnitzer Steel urges the Planning Commission to continue to exclude "Metals Recycling" from the list of "High Risk/High Impact" uses in making its recommendation to the City Council regarding the proposed Tideflats Interim Regulations, as there is no evidence to support claimed impacts of Schnitzer's operations on the adjacent Northeast Tacoma neighborhood.

Staff materials for the August 2 and August 16, 2017 meetings made clear that "Metals Recycling" had been included on the list of "High Impact/High Risk" industries subject to proposed interim regulation based solely on the unsupported allegations regarding the impacts of Schnitzer Steel's operations found in the NE Tacoma Buffer Zone Amendment to the Comprehensive Plan proposed by the NE Tacoma Neighborhood Association. Several NE Tacoma Neighborhood Association members repeated the unsupported allegations from the original application during the September 13, 2017 Planning Commission public hearing. Indeed, one resident asserted a new and patently false claim that "metal shards are raining down" on the neighborhood because of Schnitzer containing various hazardous substances. Simply put, unsupported allegations from adjacent residential neighbors cannot and should not serve as a basis for lawful interim regulation of Schnitzer's existing industrial use. Schnitzer also notes that the City approved the residential subdivisions adjacent to the Tideflats well after the Port and other industrial uses were well-established.

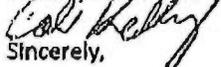
With respect to noise, Appendix C to the Buffer Zone Amendment contained forty pages of "Noise Complaints Related to Schnitzer Steel Operations," suggesting for purposes of justifying the proposed amendment that Schnitzer's facility has a lengthy history of validated noise complaints. In fact, the forty pages comprising Appendix C consisted of thirteen individual complaints. Of the thirteen complaints, six were from a single date, March 7, 2017, which is notable for its proximity to the date of application submission. One, from January 18, 2017, appeared to pertain to pile driving at the Port of Tacoma Pier 4 – entirely unrelated to Schnitzer.

Indeed, Schnitzer has never been found in violation of City noise ordinances, and our neighbors have offered no proof to the contrary. With respect to odor, Schnitzer, and the metals recycling industry in general, does not create noxious odors. Finally, Schnitzer simply does not produce air emissions containing metal shards or other hazardous substances.

Despite the lack of support for claims of adverse impacts made by its residential neighbors, Schnitzer has been and continues to be responsive to the Northeast Tacoma neighborhood's concerns. Schnitzer representatives recently met with Ms. Linda Stewart, the City of Tacoma's Interim Director of Neighborhood and Community Services, at her request, to discuss Schnitzer's operations. In addition, Schnitzer looks forward to continuing dialogue with adjacent NE Tacoma residents with the hope of increasing understanding and awareness and dispelling myths about Metals Recycling which appear to have led to the Buffer Zone Application.

In closing, Schnitzer believes that the Planning Commission's decision to remove "Metals Recycling" from the "High Risk/High Impact" classification proposed for interim regulation on August 16, 2017 was correct given the absence of evidence or objective criteria to include it. Unfounded complaints from adjacent residents, whether stated in the Buffer Zone Application or at the public hearing, should not change that result. Thus, to the extent the Planning Commission concludes that interim regulation of certain industrial uses in the Tidewater is ultimately necessary in making its recommendation to City Council, "Metals Recycling" should not be included within that list.

Thank you for your consideration of these comments.

  
Sincerely,

Colin Kelly  
Corporate Director of Public Affairs  
Schnitzer Steel Industries

## Wung, Lihuang

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**From:** Gary Knudson <gknudson@harbornet.com>  
**Sent:** Thursday, September 14, 2017 6:36 PM  
**To:** Planning  
**Subject:** Port Area Interim Regulations  
**Attachments:** untitled-[1.2].html; untitled-[1.2].html; untitled-[2].html

Mr. Atkinson-

On the face of it, the effort to establish a stable platform upon which to conduct the Port Area Sub-Area Plan process is laudable. It recognizes that there are recently identified threats to the environment and to citizen safety allied with recent fossil-fuel proposals unprecedented here in term of nature and scope, that site-related analysis is no longer adequate to assess the impact of any given project, as well as the fact that future Port growth under GMA will include a much more dense and diverse development pattern even as the Port's impact perimeter expands.

Even as impacted and impactful use categories are exhaustively detailed. there is one area where there appears to be a lapse in the reasoning of this proposal.

Under Finding of Fact, Category 4; Potential High Impact/High Risk Uses, you note that 'Existing (high impact/high risk) uses are considered allowed and not subject to limitation on expansion'. Most increments of expansion of these industries can be the equivalent of one of the new uses otherwise excluded from development in the Interim Regulations. The planning process can take several years to complete, and the continued expansion of high risk industries under an erstwhile moratorium on other uses would present a moving target and normalize an increasingly elevated level of risk, even as planning proceeds. To cover this lapse of coverage for the interim period, I would recommend applying language similar to that found under 13.06.400.B.4, for ST-M/1C, in this case, applied to cohesive parcels. The restriction might then read, 'Expansion beyond current boundaries can only be done in conjunction with provisions of the completed Sub-Area Plan. Any expansion beyond current limits may decrease the distance between diverse and otherwise allowed light industrial or commercial uses and impose restrictions on the development of such uses, and extend the hazard impact perimeter of such high-risk uses'.

This would make Section 4 more compatible with other sections of the proposed ordinance, and allow planning to proceed 'of a piece' with no excepted user sites. Of course, this recommendation would not apply to expansion phases currently under permit or construction.

Thank you.

Gary Knudson  
3307 North 25th Street  
Tacoma, WA 98406-6117  
253-752-5014

## Wung, Lihuang

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**From:** Dax Koho <daxkoho@yahoo.com>  
**Sent:** Friday, September 15, 2017 11:56 AM  
**To:** Planning  
**Subject:** interim restrictions on the tideflats

September 15, 2017

To whom it may concern

As the President of ILWU Local 22 I would like to urge the Planning Commission to reconsider making interim rules and restrictions in the Tacoma tideflats area. Interim rules typically a very short term "band aid" to long term issues.

The tideflats and the Port have been a magnet for industry for over a century. The area still attracts business that provide diverse family wage jobs. The area has been a unique gem, not only to the city of Tacoma, but to the entire state of Washington. Any change to the regulations should not be taken lightly.

Over the last 17 years I have earned a living in the tideflats. During that time we have seen major changes to the industry that is doing business at the Port. The mills and factories have made drastic improvements in environmental responsibility. Enormous amounts of money have been spent cleaning up the water, soil and air. These are accomplishments we all should be proud of.

Instead of making interim regulations I would like to encourage the Commission to engage with all the stakeholders that would be affected. As an entire community, we should jointly determine the vision for Tacoma's gem for generations to come, and make regulation changes with that in mind rather than focus on short-term interim rule.

Respectfully

Dax Koho

President ILWU Local 22

## Wung, Lihuang

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**From:** William Kupinse <williamkupinse@gmail.com>  
**Sent:** Friday, September 15, 2017 4:00 PM  
**To:** Planning  
**Subject:** Interim Regulations during the Port of Tacoma's Subarea Planning Process

City of Tacoma Planning Commission

747 Market Street, Room 345

Tacoma, WA 98402

Dear Planning Commission:

I'm writing on the subject of Interim Regulations for the Port of Tacoma while the Subarea Planning Process takes place. Specifically, I urge the Planning Commission to implement Interim Regulations that

- 1) prohibit the construction of new fossil fuel, petrochemical, and other hazardous facilities, including smelting and the manufacture of hazardous substances, such as acids and strong bases;
- 2) prohibit the expansion of existing fossil fuel, petrochemical, and other hazardous facilities listed above; and
- 3) allow for the construction and/or expansion of non-polluting businesses.

Most of all, I ask that the Planning Commission work in a transparent manner with the Puyallup Tribe and adopt interim regulations that meet with the Tribe's approval. The Puyallup Tribe managed the land in and around the Tide Flats for millennia in a sustainable manner; industry has turned that same area into some of the most polluted land on the continent in a little over a century. Basic principles of environmental justice require that the Puyallup Tribe be an equal partner in developing the Subarea Plan and the Interim Regulations. Moreover, it would be a violation of the Tribe's treaty rights to allow the construction or expansion of infrastructure at the Port without the Tribe's consent.

The recent storms in Houston and Southern Florida alert us to the fact that as global temperatures continue to increase as the result of anthropogenic global warming, storms of this kind will occur more frequently and with greater magnitude. The disastrous chemical spills as the Arkema facility in Houston further remind us what can happen when a natural disaster meets a poorly sited chemical facility, whose owners have not been transparent with the public or emergency responders. (It should concern us all that Arkema also has a presence at the Port of Tacoma). As a port city with significant fossil fuel and petrochemical industry situated at the Tide Flats—on unstable fill, located on a major geologic faultline, in a lahar zone—Tacoma could well find itself facing a disaster of even greater proportions than the Arkema disaster.

The public-health and safety argument for strong interim regulations preventing the development or expansion of fossil fuel infrastructure is compelling, but there is also a powerful economic argument to be made: the world is transitioning rapidly away from fossil fuels, and the growth industries of the future will be renewable, zero-carbon energy sources. Tacoma's dirty and polluting industries lie in its past, with Asarco, Hooker Chemical, and the like. Tacoma's economic future, if it is to have one, must necessarily include clean energy sources such as wind, solar, and tidal energy. The Planning Commission can help Tacoma transition to that more vibrant

future, and keep the city from repeating its the tragic mistakes of the past, by prohibiting the construction or expansion of fossil fuel infrastructure.

Thank you,

William Kupinse

2522 N Proctor St #57

Tacoma, WA 98406

September 15, 2017

Stephen Atkinson  
Senior Planner  
Tacoma Planning Commission  
747 Market Street, Room 345  
Tacoma, WA 98402

*Re: Proposed Tacoma Tideflats Interim Regulations*

Dear Mr. Atkinson,

This letter is in reference to the proposed Tacoma Tideflats Interim Regulations document. The Master Builders Association of Pierce County (MBA Pierce) is a local association composed of over 625 member companies which are involved in the building industry in Pierce County. On behalf of the MBA Pierce, thank you for your consideration of these comments.

The proposed Tideflats Interim Regulations are not good for Tacoma. MBA Pierce members recognize the need to plan according to the various subarea characteristics, but a ban on development in this area until this plan is completed will have a severely negative impact on economic growth in Tacoma. The Tacoma Tideflats area is a host to interstate and international trade which is crucial to the economic vitality of the City and the region. Realistically these regulations would be in place, if passed, until the subarea plan is finished. The subarea plan process will be contentious and will take years to complete, resulting in stunted growth for this area which in turn sends a strong message that Tacoma, is in fact, not open for business.

We strongly encourage the City to consider the lasting economic effects of this proposal. A healthy, growing economy provides dollars for the City to invest in environmental protections, infrastructure needs and more. The proposed regulations will only serve to move Tacoma backwards and prevent needed job growth. We are a port city, this proposal disrespects that legacy.

Sincerely,



Jeremiah Lafranca  
Government Affairs Director  
Master Builders Association of Pierce County

## **Wung, Lihuang**

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**From:** Michael Lafreniere <mlafreniere@gmail.com>  
**Sent:** Friday, September 15, 2017 4:44 PM  
**To:** Atkinson, Stephen  
**Cc:** Ibsen, Anders; Thoms, Robert; Blocker, Keith; Campbell, Marty; Lonergan, Joe; Walker Lee, Lauren; McCarthy, Conor; Mello, Ryan  
**Subject:** In Support of Draft Interim Regulations

Mr. Atkinson,

Respectfully, I write in support of the Draft Interim Regulations for the Tacoma Tideflats, albeit with a few recommended changes.

As a member of the North End Neighborhood Council (NENC) I should also say that on September 11, 2017 the NENC officially voted to endorse a letter (submitted separately) from the Protect Tacoma's Tideflats Coalition to the Planning Commission supporting the regulations and in favor of putting a pause on any new fossil fuel proposals for the Tideflats.

Very recently, we learned that US Oil was submitting a permit application to expand its facilities in the Tideflats as a way to vest their projects prior to any new regulations. At the very same time, the City of Tacoma began work to respond to the Amazon HQ RFP. The disconnect of these two conflicting economic development futures could not be more clear. Furthermore, over the last 30 years our community has invested significant public funding in downtown redevelopment, the UWT and the Museum District to attract tourism. Until the Subarea Plan can do the overdue work of resolving competing visions for the Tideflats area which impacts our entire community and region, and develop a broad community consensus about its future, the Interim Regulations for the Tideflats are needed and needed as soon as possible.

The changes or amendments that I would like to see to the draft are:

1. Focus on the imminent threats to our community and on what the vast majority of Tacoma's citizens agree on, i.e., a temporary halt to any further development of new fossil fuel projects or expansion of existing fossil fuel facilities; broadly restricting all heavy industry is unwarranted.
2. Include language that effectuates the regulations meaningfully, i.e. prevent companies from vesting projects by attempting to defeat the public process and the intent of the regulations through the filing of "placeholder" permit applications.

Adopting effective interim regulations will set up the Subarea Plan process for success. It should be done as soon as possible in order for that process to get underway. The sooner it gets done, the sooner our business community and residents will have certainty about the future.

Thank you for your work on this process and for the efforts of the Planning Commission to take this on. It is much appreciated.

Michael Lafreniere  
815 N Proctor St.  
Tacoma, WA 98406

## Wung, Lihuang

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**From:** Marti Lambert <martilambert2@gmail.com>  
**Sent:** Friday, September 15, 2017 4:10 PM  
**To:** Planning  
**Subject:** Tideflats Interim Regulation

To Tacoma Planning Commission:

RE: Tideflat Interim Regulations.

My husband and I attended the Public Hearing Wednesday night. We wish to submit the following comment concerning the interim regulations. We were residents of Tacoma for nearly 40 years before recently moving to Fircrest. We still see Tacoma as our home.

Our region is vulnerable to natural disasters such as earthquakes, tsunamis, wild fires, volcanic activity, and lahars. We trust that our elected officials keep this in mind when they make decisions concerning the economic well-being of our citizens.

One speaker last night stated (incorrectly) that he suspected everyone in the room relied on fossil fuel to get to the meeting in their automobile, and further, that they relied on oil to heat their homes in winter. We may be in the minority, but we have invested in an electric vehicle (EV), and live in a home heated with electricity. On our way to the meeting, we saw a hybrid electric bus providing public transportation on Pacific Avenue. There are options available that provide alternative energy; decisions are being made to move away from the use of fossil fuel, moving toward a more sustainable future. We encourage Tacoma to continue its progress toward this goal.

As the Trump Administration eases restrictions on the drilling and export of fossil fuels, it becomes necessary for state and local governments to step up to protect the environment. Tacoma should prohibit the export of crude oil from its port, while allowing shipment of finished U.S.-made products. This would reduce the transport of crude oil into the port by rail and pipeline.

The port area supports many living-wage jobs, and this is important to the city's vitality. However, our city, state and nation should be moving towards sustainability and decreased reliance on fossil fuel. Burning of fossil fuel does contribute to a warmer, drier environment, as well as air and water pollution. The Interim Regulations should pause the development of both new and existing fossil fuel facilities. The subarea plan should be completed prior to adding more high risk industry on the tide flats.

Thank you for considering our comments.

Marti and David Lambert

413 Farallone Ave.

Fircrest WA 98466

## Wung, Lihuang

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**From:** Kathy Lawhon <kathy.lawhon@yahoo.com>  
**Sent:** Friday, September 15, 2017 1:36 PM  
**To:** Planning  
**Subject:** Please enact Interim Regulations for the Tideflats

City of Tacoma Planning Commission  
747 Market St., Room 345  
Tacoma, WA 98402  
Sept. 15, 2017

I am writing to express my complete and enthusiastic support of the proposed Interim Regulations for the Port of Tacoma. We need these protections to stem the onslaught of fossil fuel polluters who are trying to build or expand on ancestral Puyallup Tribal land.

I used to live in Jacksonville, FL, and my dearest friends still live there. They spent several days last week, wondering if their house would be flooded, as many neighbors were. A huge oak tree fell on the corner of their house, but they are OK now, though they have no power and the temperatures there are in the high 90s now. Many seniors died in 115 degree heat in a sweltering nursing home.

Irma virtually destroyed many islands in the Caribbean, the Keys, and parts of Cuba. Then this monster storm, 400 miles across, swept the entire state of Florida, with devastating effect.

The same thing with Harvey. Just widespread devastation and suffering (very much ignored by mainstream media). And the wildfires raging all around us here out west. Mother Earth is crying out in pain and anguish and she's trying to tell us something. Are we listening?

I am a proud water warrior, standing beside the Puyallup Tribe, against this insane LNG project that PSE and the City have brought upon us. It's not local, it's not safe, and it's not clean. All complete propaganda by the LNG industry and PSE. These laughable lies are simply repeated on the City web site, with no dissenting or scientific views are included. Shame.

PSE's LNG plant will be one of the most complex (and dangerous) built in the US and PSE has no experience running one. (See Sightline Institute.) The fire study is a sham, penned by the very same people (Chicago Bridge and Iron) who were subsequently awarded the \$310 million contract to build the plant. This is a potentially disastrous conflict of interest and should have never been allowed.

There has been no study of the dangers of trucking LNG from the Port, onto the horribly congested I-5 corridor.

PSE does not have all the permits, but is working (lawlessly?) anyway. Is the application process even complete? How can our City officials let this happen? What does it say to citizens if corporations are allowed to run roughshod over laws and regulations that are designed to keep us safe? Why isn't the City or State stopping this lawless activity by PSE?

And now, US Oil wants to expand. Really? They already have millions of gallons of petroleum products in our port. Add to that, Targa's numerous and massive tanks, and you have a recipe for disaster, even without the 8 million gallon LNG tank in the mix. Targa's tanks are located maybe ¼ mile from where they are now building the LNG tank. I've read that a 7.4 mag quake could cause the tideflats to liquefy. And of course, there is the threat of lahar and sabotage. Imagine the carnage to the Puget Sound and the whales and life as we know it.

To willingly, knowingly take on these risks, given where we are with the environment, is simply insane and immoral. But people are waking up, in part because of Harvey and Irma. We are rising up and it's time for City leaders to get a spine and admit maybe they made a mistake, and step up to help us stop these projects. Have some courage to swim against the tide. Stand up now, for yourself, your children, for their children.

Please enact these interim regulations to help protect our City, the Puget Sound, and Mother Earth.  
Before it is too late. Thank you.

Kathy Lawhon  
1114 S. 11<sup>th</sup> St. #417  
Tacoma, WA 98405



September 15, 2017

Stephen Wamback, Chair  
Members of the Planning Commission  
Tacoma Municipal Building  
747 Market Street, Room 345  
Tacoma WA 98402

**RE: Tideflats Interim Regulations – No need for a “pause”**

Dear Mr. Wamback and members of the Planning Commission:

As a CEO of a growing manufacturing company in the City of Tacoma, I know firsthand that our region's economic development teams place equal emphasis on economic prosperity, social equity, and environmental stewardship in our recruitment and retention efforts. Local companies like Tool Gauge embrace a strong environmental ethic not just because we are required to by law, but because we know it is good for our employees, customers, and the bottom-line.

The proposed interim regulations that would have the City of Tacoma arbitrarily lump existing and potential businesses into a category called “high risk/high impact industrial uses,” will undermine the balanced approach to the creation and retention of jobs in Tacoma. They will create a chilling effect on not only the manufacturing sector, but on other industries that are already wondering which among them is next to be targeted by the City's increasingly volatile regulatory climate.

Most concerning to Tool Gauge is that the City-wide interim regulations are being crafted ahead of the Tideflats subarea plan. As a company located outside of the Tideflats, Tool Gauge has no course of redress for the regulations, parts of which stand to affect our company directly, because we will not have a seat at the table. Furthermore, we wish to express our dismay that we were notified by the City that the regulations affecting the Tideflats are to be extended to all manufacturing within City limits. This is a serious cause for concern.

Washington State voters and elected leaders have adopted state laws that reflect the environmental values of Washingtonians. Our regulations are among the strictest in the country, and as a result our state is ranked #4 for most eco-friendly. Legal and appropriate business activities operate within these strict parameters. The City of Tacoma has sufficient regulations and ordinances in place to allow for enhanced review of new projects. It is incumbent upon the City to ensure that the existing laws have been applied fully and equally before putting in place any new regulations, interim or not.

We will make more progress as a region not when we listen to extremists but when we work together to balance our shared interested in our economic, social, and environmental wellbeing.



The proposed interim regulations are unnecessary, arbitrary, and unsupported by facts. I respectfully urge the Planning Commission to reject these recommendations and to ensure that the Tideflats Sub-area Plan is supported by quality research, public involvement, and economic realities.

Sincerely,

A handwritten signature in black ink that reads "Debbie Lee".

Debbie Lee  
CEO

Cc: Mayor Marilyn Strickland and City Councilmembers  
Elizabeth Pauli, City Manager  
Steve Atkinson, Planning Services Division, and Planning Commission members

## Wung, Lihuang

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**From:** duncan livingston <feelography@icloud.com>  
**Sent:** Thursday, September 14, 2017 11:15 PM  
**To:** Planning  
**Subject:** Tideflats Interim Regulations/comment

Attn: Planning Commission  
Re: Tideflats Interim Regulation/comments

Hello and thank you for your considerations.

My name is Duncan Livingston. Now age 63, I was born and raised in here in Tacoma where I have lived and worked most of my life. I'm submitting these comments on behalf of my wife, Mary McCheyne, and myself. Mary has lived in and taught in Tacoma for 40 years...

Yes, I can still taste that pervasive and disgusting aroma of Tacoma, and am thankful for the actions finally taken by good folks like you to finally remedy the problem. I'm certain city planners of the day felt that those polluting industries were gonna be good for jobs and commerce in Tacoma. Surely jobs will be coming to this area no matter what we do with the Port. Polluters or not, our tideflats are going to fill up with plenty of new jobs for better or worse. And once its packed with workers, won't their safety be as relevant as the safety of those in nearby stadiums, housing projects, condos, communities, etc? So it makes little sense to me that we would consider banning residential or non-industrial development all the while hoping to pack the area with well paid workers. Won't they ALL need to be protected from pollutants, disasters, etc? This is earthquake alley and the Full Rip 9.0 is centuries behind schedule, as a matter of fact!

Now we already have major population growth happening here comprised of a broad spectrum of entry-level, well educated, skilled arrivals, affluent or otherwise. Nothing we can do will stop this influx no matter how expensive the cost of living here. As a result, the character of the Port of Tacoma is going to change whether we want it to or not. The West Coast is bursting with high tech industry and it's already overflowing into our town. These emerging industries creates a wealth of opportunities for workers across the board. Blue collar workers to build facilities, white collar to handle the business, etc. More and more of these emerging technology job opportunities will indeed locate if we facilitate them. Build it and they will come. But don't expect them to set up shop near smokestacks and refineries spewing toxic pollutants. Why not create a dynamic where they can eventually replace obsolete unpleasant heavy industries of our past with clean and attractive properties and spaces conducive to humans and nature? Obviously, that's what's going to attract desirable developers and skilled workers.

So why propose to eliminate non-industrial development at all? Most everyone is essentially just asking you to simply ban or pause petrochemical and toxic/hazardous development in the port for the protection of our environment, existing port workers as well as adjacent populations. Signaling the world that we in Tacoma are making a paradigm shift away from such industries will serve to open the door for this rising wave of more people-friendly enterprises. Please allow our Port to evolve towards clean and safe alternatives. They are many, and they are searching for safe, clean and attractive sites to set up shop, ripe with possibilities and permanent career opportunities. No, we can't stop progress, but we can position ourselves to embrace it and direct it in a noble direction. May that be your legacy!

US Oil, LNG, LPG and the likes will not create that many steady jobs, and those handfuls of workers will be at constant risk as will those for miles around and beyond. And for what?

Instead, let's set the pace and refuse to further enable this withering fossil fuel economy. China just announced it will be banning ALL new internal combustion automobiles (that's huge)! India is doing the same by 2030! In other words, it's over Time to divest, as momentum is shifting. We need to recognize this reality and embrace clean jobs of the future, not a toxic past that threatens our very survival. Pivot now, please, or risk being remembered for leaving all Tahomans behind still holding our noses and that dirty bag that's tarnished us enough already.

Evolve Tacoma!

-Thank you for your dedicated service. You didn't get us into this mess, but you can get us out!

Sincerely,

Duncan and Mary 253-691-1515

## Wung, Lihuang

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**From:** Evelyn Lopez <truetacoma@gmail.com>  
**Sent:** Friday, September 15, 2017 11:46 AM  
**To:** Planning  
**Subject:** Interim Regulations for the Tideflats

Dear Planning Commissioners,

Thank you for considering interim regulations for the Tacoma Tideflats while moving forward with a sub-area plan. As recent filings have indicated, if there are no interim regulations many of the heavy industrial businesses currently operating on the Tideflats will try to expand before the sub-area plan can be developed--and that takes Tacoma in the wrong direction.

We have a beautiful city, and we should value it by moving away from our industrial polluting past that has left us with numerous environmental clean up issues, and moving toward a future of greener, more diverse industry. We can only do that if we curtail fossil fuel exporting and storage activities now.

I understand that there may be concern about legal challenges, but those will come no matter what course the city takes. Now is the time for courageous leadership to break with the past. Please do include a moratorium or strict limits on fossil fuel expansion while the sub-area plan is developed.

I know that there are concerns about jobs as well. My observation has been that those who are loudest arguing for jobs do not live in Tacoma, and I have seen no data on the numbers of local high school graduates who are recruited for these supposed living wage jobs on the Tideflats. Frankly, I think the jobs are going to people who have legacy connections through their families, and to people who live and pay taxes outside of Tacoma. I would pay them little heed--it is time for the people of Tacoma to be in charge of the future of Tacoma, and the people want a greener, cleaner, and more modern city.

Thank you for working on this important project.

Regards,

Evelyn Fielding Lopez  
email: [TrueTacoma@gmail.com](mailto:TrueTacoma@gmail.com)  
phone: 253-229-2362

William T. Lynn  
Direct: (253) 620-6416  
E-mail: blynn@gth-law.com

September 15, 2017

HAND DELIVERED

City of Tacoma  
Planning Commission  
747 Market Street, Room 345  
Tacoma, WA 98402

RE: Targa Sound Terminal – Comments to Proposed Interim Regulations

Dear Planning Commission:

This letter is submitted on behalf of Targa Sound Terminal LLC (“Targa”), which supports the process to establish the Tideflats Sub-Area Plan, but objects to the establishment of interim regulations. Strong policy concerns support a decision to either reject the interim regulations altogether or, at the very least, to limit the applicability of the interim regulations to new businesses. There are also strong legal arguments against establishing these interim regulations. Targa herein incorporates the legal arguments made in the letter submitted by the Port of Tacoma dated August 14, 2017.

State and Regional Planning Goals

Similar to the One Tacoma Comprehensive Plan that it helps implement, the Sub-Area Plan will be developed based upon the early and continuous citizen participation that is required by the Growth Management Act (“GMA”). Further, the Sub-Area Plan will assure consistency with the statewide GMA planning goals, the regional planning goals of the Puget Sound Regional Council’s Vision 2040, and the Pierce County County-Wide Planning Policies. All of these planning goals emphasize the role of the Tideflats as an integral and significant component of State, Regional and County Planning.

Reply to:  
Tacoma Office  
1201 Pacific Ave., Suite 2100 (253) 620-6500  
Tacoma, WA 98402 (253) 620-6565 (fax)

Seattle Office  
600 University, Suite 2100 (206) 676-7500  
Seattle, WA 98101 (206) 676-7575 (fax)

In contrast to the Sub-Area Plan, the interim regulations now being considered for the Tideflats are being pushed through in a hasty and constrained process, without any regard for the much broader competing planning goals under the GMA, or even the more focused policies of the One Tacoma Plan.<sup>1</sup>

#### Absence of Emergency

Targa is unaware of any facts that provide the legal basis necessary to support interim regulations. Under both the state statute (RCW 36.78.390) and Tacoma Municipal Code (TMC 13.02.055), there must be a factual basis or emergency to support the extraordinary imposition of a moratorium or interim regulations. Here, any claim of emergency would be problematic because the One Tacoma Comprehensive Plan was passed so recently (2015) and does not itself support the need for any emergency action. The record is devoid of any evidence to support such an extreme step, which is a departure from the established legal process. Furthermore, the letters supporting interim regulations simply assume the emergency (“there can be no doubt”) without providing any basis in fact. The planning process loses all integrity if extreme measures like a moratorium or interim regulations are pursued simply because a small group of citizens “declares” an emergency.

#### Limitations on Expansion or Modification

The Planning Commission apparently recognized that expansions and other modifications of existing businesses should not be regulated through the interim provisions. As a result, draft provisions purporting to regulate “expansions” were deleted. This was the correct conclusion, and while there is no proposal pending to regulate these activities, Targa briefly comments here on that concept.

First, it is impossible to define in any meaningful way what “expansion” might be prohibited or limited. Targa and many others in the Tideflats are subject to a variety of federal, state and local environmental, safety, homeland security and other regulations. An alteration that modifies a facility could well be one that is mandated to comply with applicable regulations of other agencies. Alternatively, it could represent an effort by a business on its own initiative to improve environmental conditions, safety factors or business operations. It could also simply be an investment that changes the facility for the sole purpose of replacing older equipment or improving efficiency. Targa can conceive of no way for regulation to appropriately define “expansion” so as to be at all meaningful in terms of regulating conduct

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<sup>1</sup> A list of some of the statutory provisions and planning policies is attached.

or potential impacts of interest to the City. Even if the City wanted to regulate some of these activities, it could well be that it is precluded from doing so by Federal or State pre-emption of the regulatory power.

Even if it were practicable to define expansion in a meaningful way, the record is devoid of any evidence that such regulated activities would create any potential public harm, let alone public harm that would form the necessary legal basis for interim regulation. The City is being asked to exercise an extraordinary power and there is no basis for that action.

Potential Impacts

Finally, we note that Targa serves primarily a local market, and that its business is based on demand. Any limit on Targa's business will only mean that the market demand has to be served by other means. This could likely result in more train traffic or more truck traffic from facilities elsewhere, which could potentially result in higher and greater environmental consequences. These are factors that would be studied through the State Environmental Policy Act process.

Respectfully submitted,



William T. Lynn

WTL:lb

Enclosure

cc: Stephen Atkinson  
Marilyn Strickland and Members of the City Council  
Elizabeth Pauli, City Manager  
Steve Victor, Assistant City Attorney  
Julie Pabon, Targa  
Troy Goodman, Targa  
Vincent DiCosimo, Targa

## EXHIBIT A

GOAL CP – 1 Identify the core port and port-related container industrial area and protect the long-term function and viability of this area (see Figure 41, Container Port Core Area).

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RCW 36.70A.085(5) In adopting port elements under subsections (1) and (2) of this section, cities and ports must: Ensure that there is consistency between the port elements and the port comprehensive scheme required under chapters 53.20 and 53.25 RCW; and retain sufficient planning flexibility to secure emerging economic opportunities.

William T. Lynn  
Direct: (253) 620-6416  
E-mail: blynn@gth-law.com

September 15, 2017

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City of Tacoma  
Planning Commission  
747 Market Street, Room 345  
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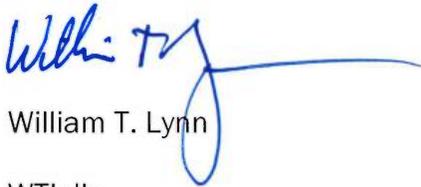
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William T. Lynn

WTL:lb

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City of Tacoma Planning Commission  
747 Market Street, Room 345  
Tacoma, WA 98402  
planning@cityoftacoma.org

Re: Comments on Draft Interim Regulations for the Tacoma Tideflats

Dear Planning Commissioners:

The undersigned are organizations and individuals committed to the protection of Tacoma's environment, economy and public health. We appreciate the opportunity to review and comment on the proposed draft interim regulations for the Tacoma Tideflats ("the regulations."). The undersigned members of the Protect Tacoma's Tideflats Coalition, including social and environmental advocacy organizations, scientists and concerned community members, submit these comments on the draft Tideflats interim regulations.

First, we thank the Planning Commission and the Planning and Development Services Department for working diligently on balanced protections for the Tideflats while we come together to create a long-term, cohesive vision for the Tideflats area through the subarea planning process, as directed by Resolution No. 39723.

These proposed interim regulations are essential for the short-term protection of Tacoma's environment, economy and public health while the longer subarea planning process unfolds. We commit to broad and deep discussions on the future of Tacoma's Tideflats, but we will not progress until the immediate threat of fossil fuels is paused.

There is no doubt that fossil fuels represent the most significant and urgent issue in the Tideflats, and are therefore should be the focus of interim regulations. The Pacific Northwest has long been a target for the fossil fuel industry and Tacoma is particularly vulnerable due to its natural deep water port, existing infrastructure, rail access to the large fossil fuel deposits in the interior of North America, proximity to fast-growing Asian energy markets and political reputation for fast-tracking Port projects. This conclusion is supported by the recent methanol and LNG facility proposals, expansion proposals from existing fossil fuel uses and conclusive research from Sightline Institute<sup>1</sup>.

Fossil fuels and climate change pose a serious risk to the health of our waters, through rising sea levels, accelerating pollution impacts, and ocean acidification, and should be limited. Climate change threatens the health of the communities and natural resources of Puget Sound – harming shellfish and other wildlife; risking massive spills, increasing floods, droughts, landslides and other natural disasters; and degrading air quality.

Without a decisive interim pause enacted, new proposals would be grandfathered in regardless of the ultimate results of the subarea plan. Therefore, while there are a multitude of issues that merit discussion in the subarea planning process, the fossil fuel issue must be addressed immediately through a focused and complete interim pause on new and expanded fossil fuel facilities.

The undersigned are profoundly concerned with the threat inherent in new and expanded fossil fuel and petrochemical facilities and infrastructure targeted at the unprotected Tacoma Tideflats. Indeed, we saw just this week three different proposals by US Oil to expand its existing facility. While we do not yet know the full intent, we are concerned that these expansions could put the public, our waterways and the future of the Tideflats at risk. This is a real, urgent issue and one that needs to be addressed in an expeditious and focused way. These interim regulations will allow us to press “pause” on fossil fuel projects while the community has an inclusive, holistic dialogue about the future of the Tideflats during the subarea planning process

### **Comments:**

Our coalition’s concerns with the current draft of interim regulations, and our proposed solutions, are outlined below.

#### **1. Focus on Fossil Fuels -- Category 4: Heavy Industrial Special Use Restrictions**

These interim regulations are a temporary measure designed to address the urgent issues affecting the Tideflats – therefore, the pause on specific heavy industrial uses should singularly focus on fossil fuel and petrochemical projects. We strongly recommend deleting all other uses that are not fossil fuels from category four. For us, fossil fuels are all petrochemicals, including coal, oil and gas.<sup>2</sup>

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<sup>1</sup> “Northwest Targets: Communities Threatened by Coal, Oil and Gas.” Eric de Place, Sightline Institute. June 2017. [www.sightline.org/download/60509](http://www.sightline.org/download/60509).

<sup>2</sup> “Tideflats Interim Regulations: Public Review Document. Prepared for the Planning Commission Public Hearing September 13, 2017. City of Tacoma Planning & Development Services Department. Pages 2-3.

<http://cms.cityoftacoma.org/Planning/Tideflats/InterimRegulations/TideflatsPublicReviewBook9-13-17.pdf>

Fossil fuels represent an imminent threat to the Tideflats; Tacoma is in the bullseye for highly controversial and dangerous fossil fuel expansions due to the Tideflat's unique infrastructure, policy landscape, physical characteristics and location. Recent research from the Sightline Institute ranks Tacoma as the number two community in the Northwest most threatened by expanded oil, coal and natural gas development, and the most urban site making the ranked list.<sup>3</sup> Hence, all other non-fossil fuel industries should be removed from category four to focus solely on the critical issue at hand. These other industries are not the subject of urgent concern and pausing them only adds contention to the process. The continuation of non-fossil fuel industries is a topic best suited for the subarea planning process. In the meantime, our community needs a focused and decisive pause in place while we consider our long-term direction.

## 2. Prohibit Expansions of Existing Facilities - Category 4 Uses

At this time, the draft regulations exclude any "pause" on the expansion of existing fossil fuel facilities. This leaves a significant vulnerability to the Tideflats that needs to be fixed. We urge the Planning Commission to add into the interim regulation a restriction on the expansion of existing facilities. Unfortunately, we have a very timely example of this happening -- just this week, US Oil has proposed placeholders for three different expansions to its existing facility. Those expansions have the potential to cause significant negative impacts and to complicate the subarea planning process.

The draft regulations would prohibit the expansion of existing non-industrial uses (category 2,) but would not restrict expansions of existing specific heavy industrial uses (category 4.)<sup>4</sup> This unbalanced approach clearly skew problematically towards the voice of existing fossil fuel industries over the voice of citizens. The current language also leaves the regulations subject to legal challenge, as the unrestricted expansion of existing companies without the possibility of proposals from new companies creates the appearance of a monopoly.

Further, the regulations, as written, would create several exploitable loopholes. First, it would allow companies without an existing use in the Tideflats to skirt the rule by making contracts with a company that does. For example, the Tilbury LNG facility in Vancouver, BC entered an agreement with a company called Wespac to build a loading jetty at Tilbury's existing facility. The jetty belongs entirely to Wespac and will be used to export LNG. This is concerning both as a loophole and as a source of legal complications, as a third-party company who would be prohibited from building under this restriction could look at such a relationship and argue that it constitutes a new use.

The lack of restrictions on expansions creates a second loophole, as companies that can afford to buy out existing Tideflats facilities could easily do so and then expand them. For example, although the current language would prohibit a larger LNG company from building a new facility, they could theoretically purchase PSE's LNG facility and propose expansions unrestricted by interim

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<sup>3</sup> "Northwest Targets: Communities Threatened by Coal, Oil and Gas." Eric de Place, Sightline Institute. June 2017. [www.sightline.org/download/60509](http://www.sightline.org/download/60509).

<sup>4</sup> "Tideflats Interim Regulations." Page 3.

regulations. As the new owner of a use that was legally permitted at the time of adoption, they would be grandfathered in through the purchase. The current draft assumes ownership will not change, but fossil fuel acquisitions happen all the time. In fact, PSE's owners are trying to sell it right now,<sup>5</sup> so the LNG project could very well have new owners and a new scope in the near future.

Finally, fossil fuel facilities are rapidly becoming more complex in nature, expanding to handle multiple types of fossil fuels. The current language would not prohibit an existing facility from taking on multiples uses in the future. It allows "legally permitted uses at the time of adoption," which is deceptively expansive and relates back to our concern about creating monopolies.

To prevent these significant issues, the interim regulations must prohibit the expansion of existing fossil fuel uses in the same manner as existing non-industrial uses.

### 3. Prohibit Expansions of Existing Uses

In section C(2) "Existing Uses," the waiver for existing uses is overly broad. It not only allows for expansions without review of the facility's current purpose, but would also allow expansions that go into other uses not currently being carried out at the facility. For example, an oil facility could argue that they can process and ship propane if propane was a legally permitted use at the time of passage. The existing language does not specify that expansions must pertain to or be limited to the current legally permitted use. To resolve this issue, the interim regulations should be amended to prohibit expansions of existing uses.

### 4. Remove Qualifier from Section C(4)(b)(1)

In section C(4)(b)(1), the clause "... primarily engaged in the merchant wholesale distribution of crude petroleum and petroleum product" may create a loophole.<sup>6</sup> The rule against bulk petroleum storage is stronger without that condition and it should be removed from the draft interim regulations.

### 5. Strengthen Definition of Terminal

The current definition of terminal contains two issues: it omits rail and it leaves a gray area by referring to its facilities only, not structures. The definition of terminal should be expanded to include: "rail depots or rail loops or rail loading/unloading infrastructure designed to facilitate the transfer of fossil fuel products as defined in this section" or equivalent language. In addition, the phrasing should be changed to: "equipped with structures or facilities for care and handling of cargo...".<sup>7</sup> This more inclusive definition will provide greater clarity and consistency for the regulations.

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<sup>5</sup> "Macquarie Said to Explore Sale of \$2 Billion Stake in Puget." Bloomberg News. June 15, 2017.

<https://www.bloomberg.com/news/articles/2017-06-15/macquarie-said-to-explore-sale-of-stake-in-utility-puget-energy>.

<sup>6</sup> "Tideflats Interim Regulations." Page 33.

<sup>7</sup> "Tideflats Interim Regulations." Page 34.

## 6. Address Inconsistencies with Accepted Industrial Practice

In section C(4)(b)(3), there are several inconsistencies with accepted industrial practice.<sup>8</sup> First, while the definition specifies that natural gas liquids (NGLs) include both LPGs and liquefied natural gas (LNG), NGLs are treated differently from LNG by both industry and regulators. NGL and LPG are roughly synonyms (the term LPG does not include ethane while NGL does), but neither term incorporates LNG in practice. Even though LNG is literally natural gas in liquid form and LNG terminals also produce NGLs/LPGs, LNG itself is not an NGL. However, the other hydrocarbons in the gas stream are NGLs. It will be very confusing to refer to LNG as a type of NGL or a form of NGL extraction.

Secondly, these gases are not recovered as liquids as the definition strongly suggests. Instead, they are recovered, then liquefied.

Finally, the phrasing should be changed to “establishments primarily engaged in the recovery, liquefaction or liquification of hydrocarbons” to apply to all intended facilities. For example, an LNG facility is not primarily engaged in hydrocarbon recovery. LNG is made up of methane, the bulk of the gas stream. LNG facilities don’t recover the bulk of the gas stream, only the smaller components. So, the term “recovery” only pertains to the other hydrocarbons, sour gas (sulfur) and nitrogen. An LNG facility does recover other hydrocarbons, but it is not “primarily engaged” in hydrocarbon recovery.

## 7. Correct Language for TMC 13.06.580 Section C

In the proposed new section TMC 13.06.580, section C is enumerated 1, 2, 4. This is not sequential and should be fixed. In section C(4) “Definitions,” there should be a colon after “as follows” instead of a period. Further, in Section C(4)(a), the sentence should read as follows: “The storage and wholesale distribution of coal and coal products OR transfer of coal products via shipping terminal.”<sup>9</sup> The current language necessitates a facility to be doing all of the above to be captured. If the facility is only doing one of the actions, it could be argued that the regulations do not apply, contrary to the intention of the City of Tacoma.

## Conclusion

We commend the Planning Commission and the City of Tacoma for taking this important step to address the imminent threats to the Tacoma Tidelands. We strongly urge the Commission: 1) focus this interim regulation on the issue at hand by putting a pause on new and expanded existing fossil fuel facilities; and 2) update the definitions and frame of the interim regulations to be more specific and targeting to fossil fuels. Addressing the threat of new and expanded fossil fuel facilities is critical – it affects our environment, our economy and our community. Please move this on to the City Council as quickly as possible. The longer we wait, the longer our community and the integrity of the subarea planning process is left vulnerable.

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<sup>8</sup> “Tidelands Interim Regulations.” Page 33.

<sup>9</sup> “Tidelands Interim Regulations.” Page 33.

Please contact Citizens for a Healthy Bay at (253) 383-2429 or mmalott@healthybay.org if there are questions regarding our comments. Thank you for the opportunity to provide comments on the draft interim regulations for the Tacoma Tideflats.

Sincerely,



**Melissa Malott**  
Executive Director  
Citizens for a Healthy Bay



**Becky Kelley**  
President  
Washington Environmental Council



**Laura Skelton, MS**  
Executive Director  
Washington Physicians for Social Responsibility



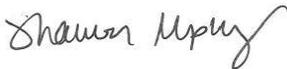
**Eric de Place**  
Policy Director  
Sightline Institute



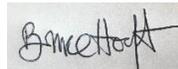
**Alex Ramel**  
Field Director  
Stand.earth



**Stena Troyer**  
Chairperson  
Surfrider Foundation, South Sound Chapter



**Shannon Murphy**  
President  
Washington Conservation Voters



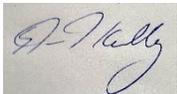
**Bruce Hoeft**  
Conservation Committee Chair  
Tahoma Audubon



**Chris Wilke**  
Executive Director  
Puget Soundkeeper Alliance



**Aaron Ostrom**  
Executive Director  
Fuse Washington



**Steven J Kelly**  
Senior Organizer  
Pierce County Activist Council



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September 15, 2017

City of Tacoma Planning Commission  
747 Market Street, Room 345  
Tacoma, WA 98402

[www.cityoftacoma.org/planning](http://www.cityoftacoma.org/planning)

Attention: Stephen Atkinson

[satkinson@cityoftacoma.org](mailto:satkinson@cityoftacoma.org)

Commissioners:

Stephen Wamback, Chair  
Anna Petersen, Vice-Chair  
Chris Beale  
Carolyn Edmonds  
Jeff McInnis  
Brett Santhuff  
Andrew Strobel  
Dorian Waller  
Jeremy Woolley

Planning Staff:

Brian Boudet, [BBOUDET@ci.tacoma.wa.us](mailto:BBOUDET@ci.tacoma.wa.us)  
Lihuang Wung, [lwung@cityoftacoma.org](mailto:lwung@cityoftacoma.org)

cc: City of Tacoma Officials

**Mayor:** Marilyn Strickland ([marilyn.strickland@cityoftacoma.org](mailto:marilyn.strickland@cityoftacoma.org))

**City Manager:** Elizabeth Pauli ([citymanager@cityoftacoma.org](mailto:citymanager@cityoftacoma.org))

**Council members:**

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Marty Campbell ([marty.campbell@cityoftacoma.org](mailto:marty.campbell@cityoftacoma.org))  
Anders Ibsen ([anders.ibsen@cityoftacoma.org](mailto:anders.ibsen@cityoftacoma.org))  
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Lauren Walker Lee ([lauren.walkerlee@cityoftacoma.org](mailto:lauren.walkerlee@cityoftacoma.org))

**Subject: WestRock Comments on Tidelands Interim Regulation – Public Review Document**

Dear Mr. Atkinson and Members of the Planning Commission,

WestRock appreciates the opportunity to comment on the draft Tidelands Interim Regulations prepared by the City of Tacoma Planning & Development staff. The WestRock Tacoma Mill site has been in continuous operation in the Tidelands Port Industrial Area since 1928. Our facility employs 422 local residents with family wage jobs (average salary and benefits of \$123,000, 73% Union labor workforce). We are the City Utility's largest single revenue source, and support our government with direct contribution of over \$7 million in annual state and local taxes and over \$150 million a year spent in the local economy.

Today, the Mill produces linerboard for boxes and paper for bags, recycling over 500 tons of discarded used boxes a day to make new products that average 33% recycled content. The Mill's investments in renewable energy make it able to produce carbon neutral renewable power equivalent to over 90% of its electricity needs. While the Mill uses natural gas to meet a portion of its thermal energy requirements, most of our thermal energy demand is self-supplied by energy created from the carbon neutral biomass fuel captured in the pulp liquor recovery process. This is the same efficient process that also keeps any requirement for new chemical use at the facility low.

Our comments are on the proposed Interim Land Use Regulations, the stated intent of which is to:

1. Prohibit the establishment of certain new industrial uses with a potential for high-risk or high off-site impact;
2. Limit potential residential encroachment on industrial uses within the Port of Tacoma Manufacturing and Industrial Center (M/IC); and
3. Prevent the conversion of industrial lands to non-industrial uses until such time as the Subarea Plan is complete.

WestRock supports the Subarea Planning Process and does not believe there is a compelling need to create a new set of Interim Regulations in the structure and level of detail proposed in the Public Review Document. WestRock believes that if the City assumes there are legitimate public concerns, the existing current permitting processes can be made adequate to guide land use decisions during the Subarea Planning Process.

Despite recent public outcry, there is factually no emergency in the Port Industrial Area requiring proscriptive temporary protective measures. All existing public concerns claiming imminent uncontrolled growth of existing activities or new uses, and the alleged associated impacts and risks, can more appropriately be managed by the Planning Department with enhanced review and expanded notification<sup>1</sup>.

A strong preference for enhanced review of development proposals of all kinds should suffice to provide the necessary protections sought in adoption of an Interim Regulation. Enhanced review can be most easily and directly accomplished through expanding the applicability and use of Conditional Use Permits during the interim period, not by establishing an entirely new (temporary, interim) regulatory construct.

Temporary interim regulation is not the platform to establish the detailed and proscriptive structure being proposed. The development of new prescriptive rule making is the level of detail that should be left to the Sub Area Planning process

The Subarea planning process will address issues related to residential encroachment and conversion of industrial lands to non-industrial uses where, and (based on the documents provided by the Planning Commission) there does appear to be some discrepancy between allowable uses under current zoning laws and the policies currently in place to protect industrial uses from encroachment of non-industrial uses. However, the categorization of certain industries as high-risk or high-impact and placing restrictions on their siting or growth is completely arbitrary and unsupported by fact. Had an environmental review been undertaken, it would clearly show that the Category 4 industrial uses listed in the proposed interim regulation do not pose a potential high-risk or high-impact on neighboring areas. There is no credible evidence presented in the record that would suggest that the categorically identified businesses do have such impacts, and are not already properly regulated under existing State and Federal environmental law.

Further, public complaints ascribing negative impacts of Climate Change to Port Area businesses are best addressed through Federal and State greenhouse gas policies, not through, local restrictions on zoning or interstate commerce which pose real legal concerns. It is notable that Pierce County, with its own significant land use regulatory experience, sent a representative to the Planning Commission to caution of the legal risks in such regulations. Moreover, local proscriptions entail a myriad of unintended

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<sup>1</sup> subject to our proposed limitations on Expanded Notification provided in these comments.

consequences; while needed products are just transported here from elsewhere, often resulting in additional rail and truck traffic.

Despite assertions to the contrary, WestRock also contends that neither the procedural or emergency conditions exist that would exempt the Planning Department from conducting a SEPA evaluation of the potential environmental consequence caused by the interim actions being proposed. Even if there was a legal argument to support a truncated process, the City leaders should want to understand the environmental impacts of their actions.

### **Category 1: Expanded Notification for Heavy Industrial Uses**

Expanded notification as proposed is overreaching, excessive, and unnecessarily burdensome. If carried forward as written, it should be applied only to new business, and not to existing business.

#### **Threshold determinations for applicability of Enhanced Notification are too broad.**

While Major project work should be subject to notification, not every project that triggers Shoreline, SEPA or a discretionary permit should be subject to Expanded Notification. Due to the fact that work identified as triggering the need for Shoreline or SEPA process apply to many routine actions undertaken by Port Area businesses, using all such applications for Shoreline, SEPA, or Conditional Use permits as the trigger for Expanded Notification will result in application of the rule unnecessarily. And, it would not serve the public. If people in the notice zone receive frequent mailed notices of even minor actions, they will soon have “notice fatigue” and disregard City mailings. The objective—proper notice of truly important actions—will not be met.

#### **Measuring the expanded notification distance from the perimeter is unreasonable.**

The proposal that notification of potentially impacted parties be identified as measured from the **perimeter of the Zoning District** rather than from the location of the project is unreasonable. Taken together with the overreach of threshold determination, what is being proposed is equivalent to notifying everyone residing ½ mile from the perimeter of the Tacoma Mall Area every time a new store front is being renovated – which at face value is unreasonably burdensome to existing business.

The proposed Expanded Notification distance (2500 ft,- which is more than 2 times the previously required maximum notification distance) should be more than sufficient to ensure good communication and coordination among impacted parties, so long as it is measured from the project site. The original language of the Director’s Rule should be considered sufficient, measuring the notification distance from the perimeter of the project site, not from the zoning district boundary.

Expanding notification to include measured distance from the Zoning District perimeter would include parties outside of the industrial area into the retail, commercial, residential areas which are not impacted by the proposed project. Implementing the proposed notifications will create widespread confusion and administrative burdens. Many non-industrial parties will have little understanding of the types of project that are required to apply for discretionary permits, Shoreline, and SEPA determinations. The public process required to answer such questions will create unnecessary delays or potential roadblocks for the permitting and completion of otherwise routine projects. In many instances, the permits are needed for projects that are time sensitive for the business, are subject to finance spending schedules, and are key to improving operations, safety, and environmental performance. While these are all good things to present to the public in general, they are unnecessary and unduly burdensome.

A recent example of this would have been the \$12 million investment the Mill made to improve local air quality by installing a new wet scrubber control device on our biomass boiler. Required

under Clean Air Act rules codified as Boiler MACT (Maximum Achievable Control Technology), the project was permitted by Ecology with concurrence of EPA (with construction permitting under the City's old notification requirements). The project had strict construction and operational deadlines, with a short window for financing and construction. Any local delays for additional local public outreach process would have been detrimental for the company and the environment.

**The public meeting requirement for all identified permitting actions is also unreasonable.**

The proposal to hold a public meeting for every Shoreline, SEPA, and Conditional Use permit application will result in unnecessary open public involvement in what should otherwise be administrative matters. Re-using a previous analogy: What is being proposed is equivalent to notifying everyone residing ½ mile from the perimeter of the Tacoma Mall Area every time a new store front is being renovated; then scheduling a public hearing to review with a community group to make sure they aren't opposed to it. Again, this is clearly unreasonable for existing businesses unless the criteria (triggering thresholds and measurement of distance to affected properties) are changed to make the need for public meeting meaningful to the applicant and the public.

Building upon existing regulation, there are already many environmental federal, state and local requirements in place that limit growth with significant requirements for public notice and involvement. Any additional requirements could and should be incorporated in the existing regulatory scheme with interim rule proposals for Enhanced Notification. We encourage Staff and the Commission to look for those opportunities rather than what has been proposed.

**Category 2: Non-industrial Uses in the Port of Tacoma M/IC**

WestRock has no comments other than to reiterate that we support the Subarea Planning Process and do not believe there is a compelling need to create a new set of Interim Regulations in the structure and detail proposed in the Public Review Document. WestRock believes the existing current permitting processes can be made adequate to guide land use decisions during the Subarea Planning Process, and that any temporary interim rules should be defined in such a way as to be the minimum rule structure needed.

**Category 3: Marine View Drive Residential Development Restrictions**

WestRock has no comment at this time on this section of the Propose Rules affecting Marine View Drive.

**Category 4: Heavy Industrial Special Use Restrictions**

WestRock agrees with the proposed interim rule that all existing uses should be considered allowed, and not subject to new arbitrary interim limitations on expansion. A prior draft of this section of the Proposed Rule considered limiting expansion for existing business. That section of the draft was correctly dropped from the final interim rule by the Commission. Any revision to the final draft rule to reincorporate limitations on current businesses will be vigorously opposed by WestRock.

As we have stated in previous comments to the Staff and Commission, there are no current Planning Department requirements addressing business output or productivity, and no foundation within the Department or staff to support development of productivity based rules. Any Rule development that requires affirmative reporting of business "growth" metrics for purposes of assessing compliance would be a dramatic expansion of the reach of the Planning Department mission. Contemplating any such dramatic expansion should not be implemented in a temporary interim regulation.

**Other general comments on the proposed Interim Regulation**

Although WestRock is not directly affected by the interim proposal to prohibit new heavy industrial uses, WestRock believes the proposed restrictions are completely arbitrary. The Finding of Fact provides no

scientific or factual basis for creating a potential “high-risk” / “high-impact” determination, nor does it demonstrate any credible safety risk to the general public in consideration of a heavy industrial use permit.

Also, while fossil fuel use is not key to WestRock’s business, as a matter of rational fairness it should be clearly recognized that both fossil fuel transportation and use are highly regulated. In addition, the interim regulation does not recognize the practicality that virtually every existing business and individual in the Port, the City, the County, the State of Washington, and the Region rely on the fuels and chemicals from these Port of Tacoma based operations. In fact, despite any implications to the contrary, even the Tribal owned and operated petroleum fuel filling stations rely on supply from the terminals located and operated in the Port Industrial Area.

WestRock also urges the Planning Staff and Commission that the added prohibition on unlisted uses is unnecessary and sends wrong signal to businesses interested in moving to Tacoma. Again, new industries can be vetted via existing processes. Manufacturing and industrial businesses provide high paying, family wage, often union jobs as well as a strong tax base for the city and should not be discouraged.

If you have any questions or items you would like to discuss regarding these comments, please feel free to contact Bruce Martin.

**Bruce Martin**



Energy Resource Manager

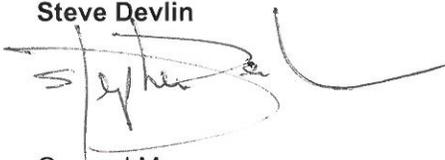


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**Steve Devlin**



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Diane Martin  
7322 N. Skyview Pl. E302  
Tacoma, WA 98406

September 13, 2017

Planning Commission  
747 Market St., Room 345  
Tacoma, WA 98402

RE: Tideflats Interim Regulations – Public Comment

I wish to thank the Planning Commission for taking on the task of putting into place interim protections for the Tideflats. As a recent resident of Tacoma, I am concerned with the health and safety of our community, both for humans and nature.

It was encouraging to read in the One Tacoma vision and the Puget Sound Regional Council's Vision 2040 that climate change was considered in evaluating the long-term vision for our City and region. Climate change is not always considered as a threat to our environment and to the safety and health of our planet in other political arenas. You are commended!

I wish to add my comments as follows:

- 1) The interim regulations should be on stopping new and existing fossil fuels.  
I am originally from Western Pennsylvania. The devastation from the oil and gas industries within the Allegheny National Forest was horrendous. Recreation suffered. One could not take a walk through the woods without the assault on vision, smell and sound. When fracking came, I left.  
We need to explore green industry that is in harmony with your long-term vision.
- 2) The current draft of regulations does not address existing fossil fuel industry.  
This should be corrected to include the existing fossil fuel businesses. There is a concern that with the federal government's push towards increasing gas and oil production, we may face our Port's facilities to expand and turn to export terminals.  
Please include existing fossil fuel industry into the interim regulations.
- 3) The classification of "terminal" should also include rail transport.
- 4) Please act quickly to return the regulations to City Council.

Again, thank you for your work and for the opportunity to allow the public to have a voice in our great City and Puget Sound Region.

Sincerely,

Diane Martin

## Wung, Lihuang

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**From:** Russ and Yvonne <russ.mccarty@outlook.com> on behalf of Comcast Yvonne <yvonne.mccarty@comcast.net>  
**Sent:** Friday, September 15, 2017 12:37 PM  
**To:** Planning  
**Cc:** Thoms, Robert; Mello, Ryan  
**Subject:** Comments regarding Tideflats Interim Regulations

Dear Planning Commission,

I'm writing to urge you to support the Tideflats Interim Regulations and take swift action to put a pause on the high impact/high risk uses that are exposing our community to unacceptable health and safety risks. Please consider the following:

- NE Tacoma is suffering from high impact heavy industrial activity that is allowed too close to our community – such as noxious petrochemical odors, extremely loud noises, and extraordinary traffic congestion.
- NE Tacoma is overexposed to high risk heavy industrial activity as a result of allowing companies who handle/process/refine/store/transport extremely explosive and flammable hazardous materials that emit cancer causing toxins to be located right next to densely populated residential neighborhoods.
- These business transport these hazardous materials in large industrial trucks that travel at high speeds on our only route into Tacoma (MVD/SR509). The same road our teenage (inexperienced drivers) children must drive to reach their schools.
- The City of Tacoma has allowed this problem to develop and rapidly expand for decades by not taking proactive steps and establishing protective policies that properly separate incompatible land uses.
- The NE Tacoma Neighborhood Council submitted an Amendment to the Tacoma Comprehensive Plan (also known as the NET Buffer Zone proposal) in March of this year. The amendment was intended to address the profound impacts that our community face on a daily basis as a result of decades of poor decision making by the city that let any and all heavy industrial uses be permitted regardless of their impact and their proximity to residential neighborhoods. When the City Council took action to consolidate our buffer zone proposal with the proposed Tideflats sub area plan, and subsequently the instructions to the Planning Commission to develop interim regulations, you were also instructed to include consideration for the needs of our community that were outlined in our amendment.
- NE Tacoma has an immediate and urgent need for the Planning Commission to act now to put a pause on these heavy industrial activities that are incompatible with residential neighborhoods, while land use policies are fully analyzed in the sub area planning process.
- At the August 16<sup>th</sup> Planning Commission meeting you voted to reduce the list of prohibited uses that Tacoma Planning staff presented to you in Category 4 of the Interim Regulations, without substantial discussion of the impacts/risks of each of the use types your removed from the list. Commissioner Santhuff tried to get you to consider what the NE Tacoma community's needs were, but you moved on without further discussion. We request that you restore the entire original list of prohibited high risk/high impact heavy industrial activities in Category 4, especially **metal recycling**, as we currently suffer profound impacts from the metal recycler on Marine View Drive (please refer to the scientific sampling and noise complaints that were included as addendums to the NET Buffer Zone proposal).
- After the August 16<sup>th</sup> Planning Commission meeting, somehow the language regarding expansion of existing business with prohibited heavy industrial uses was changed from what Tacoma Planning staff presented to you, to allow existing businesses to expand without limitation. We request that you

restore the original language regarding the expansion of existing business with prohibited uses in Category 4, that allowed **existing businesses to expand up to 10%, subject to approval of a Conditional Use Permit**. This will help to ensure that the extreme impacts from these existing business with prohibited uses are limited until the sub-area plan addresses this problem with permanent solutions. For example, there are a number of existing petrochemical facilities close to NE Tacoma that significantly and negatively impact our air quality (emissions and odors), impact traffic congestion, and expose us to significant safety risks. For specific data on the egregious petrochemical odors we have to endure, please refer to pages and pages of PSCAA complaints by our community that were included in the addendums to the NET Buffer Zone proposal.

- I strongly support the policies outlined in Category 1 for expanded notification on heavy industrial uses proposal.
- In Category 3, any residential development is prohibited in the stretch of residentially zoned land on the slope and bluffs along Marine View Drive from Fife to Browns Point. Additionally, in Category 2 existing non-Industrial uses are not allowed to expand at all. However, as Category 4 is currently written, existing business with high impact/high risk uses are allowed to expand without limitation. This is a completely unfair approach to addressing the conflict between residential and high impact/high risk land uses. It puts all the burden on Residential and Non-industrial property/business owners, and no burden at all on the existing high impact/high risk heavy industrial business. Therefore, I request that if you keep Categories 2 and 3 as is, then you must either not allow any expansion of existing businesses with prohibited heavy industrial uses, or at the very least limit them to 10% expansion through an approved Conditional Use Permit.

To the residents of NE Tacoma, the heavy industrial impacts and risks are immediate, substantial, and ultimately intolerable. The NE Tacoma Buffer Zone proposal was one of the three catalysts for the City Council taking action on the Tideflats Sub-area Plan and the Tideflats Interim Regulations. You were instructed by the City Council to include the needs outlined in the NE Tacoma Buffer Zone proposal in the Interim Regulations. Our needs are the most immediate and urgent, and meet the primary requirement for the establishment of Interim Regulations. However, for some reason NE Tacoma urgent needs for protection were left off the table in the most recent version of the Interim Regulations. Please follow the direction of City Council and make the changes in the short term through restoring Tacoma Planning staff's original recommendations in Category 4 of the Interim Regulations, and in the long term through the sub-area planning process. NE Tacoma needs protection now.

Sincerely,

Yvonne McCarty

NE Tacoma Neighborhood Council Co-chair

## Wung, Lihuang

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**From:** Barbara Menne <menneb@harbornet.com>  
**Sent:** Friday, September 15, 2017 10:30 AM  
**To:** Planning  
**Subject:** Comment on the Interim Tideflats regulations

September 15th, 2017

To the Tacoma Planning Commission:

Thank you for all your work and attention invested in this issue of the future direction of the Tacoma Tideflats area. I understand that these are complex decisions that have long-range effects and I appreciate your efforts to produce a balanced approach. I am a resident of Tacoma, work in Parkland and have a background as a geologist and a librarian. I am commenting in solidarity with the Protect Tacoma's Tideflats Coalition.

I support the interim regulations to guide Port development until the long-term Sub-Area Plan can be completed. I would urge you to add restricting the expansion of existing uses cited in Category #4.

- Resolution #4 must include prohibition of expansion of existing uses or, at the very most, limit expansion to 10% over current size.
- The definition of "terminal" should include rail.
- Tacoma, and much of the NW coast, has become the focal point for fossil fuel transport and export. Pressure on our Port area to continue to add new projects will be intense.
- Without a limitation on expansion, the prohibited use list would put additional pressure on existing facilities to maximize expansion, essentially defeating the purpose of the interim regulations.

I am very concerned about the issue of good wage jobs in the Tideflats.

- Tacoma is at the crossroads between two types of industries and jobs for the Port/Tideflats area: fossil fuel industries and jobs vs. newer sustainable and renewable energy industries and jobs.
- They are not compatible: the presence of one type drives away or precludes the other type.
- So Tacoma has a choice between further long-term investment in the known/familiar industries and jobs of the past or to switch to investing all new development in the direction of future-looking industries and jobs.
- Projects started now will lock Tacoma into a 30-40 year investment. Now is our chance to pivot.
- The prohibition of certain uses and of expansion of those uses does not have to directly affect many jobs in the port - container management businesses, many small businesses, and construction jobs.
  - Construction workers will be used to build new or old industry infrastructure projects.
  - Container businesses will continue to move goods in and out of the Port. However, existing container businesses are concerned about how increased movement of fossil fuels through the Port will dominate the rail lines and about the impact of the increased potential for spills and contamination.

- Jobs in the renewable energy fields are already outpacing jobs in the fossil fuel industries and will only continue to grow in the future. Let's invest in the future. Other sustainable industries besides renewables are possible for the Tideflats area as well.

Jobs are not my only concern in the Tideflats area.

- Health: Fossil fuel uses have documented negative effects on human health, through air, water and soil pollution.
- Earthquake hazards: As a geologist by training, I am very aware of the potential for very powerful earthquakes in our area. A very large earthquake could have effects beyond what we can imagine or anticipate. Beyond the structural damage from the quake itself, there is potential for tsunamis causing further damage and/or contamination of waters. Hurricane Harvey illustrated the potential of contamination and pollution from industrial sites with large influxes of water even if the facility itself remains standing. Earthquake preparedness drills have shown the Puget Sound Region to be only marginally ready for a large quake.
- Mt Rainier: A major explosion of Mt Rainier could bring major unforeseeable damage from hot lahars reaching the Port area.
- Terrorism: Building fossil fuel facilities in concentrated locations like the Port makes the area more of a potential target for terrorism attacks aimed at hitting critical infrastructure.

Please move interim regulations to the City Council quickly. Pressure to add new facilities to the Port is only building and will complicate efforts to develop the long-term Area Plan.

Thanks you for your consideration and work,  
Barbara Menne  
1415 N Anderson St  
Tacoma, WA 98406



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# International Union of Operating Engineers

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Todd J. Mickelson  
*Business Manager / Financial Secretary*  
Edward Taylor  
*President*  
Kevin A. Tedrick  
*Recording~Corresponding Secretary*

September 15, 2017

Dear Commissioners,

IUOE Local 612 represents 2200 members of heavy equipment operators in Pierce, Thurston, Lewis and parts of Pacific County's. These members make a living wage that translates into an economic engine, which provides a substantial tax base to these counties. We have a responsibility to speak to the Tideflats Interim Regulations by virtue of the fact that there are a great portion of our members that rely on the port for their very livelihood. The Intent of the proposed interim regulations states that the Tacoma City Council adopted Resolution No. 39723 on May 9<sup>th</sup> 2017 and requested that the Planning Commission consider the need for interim regulations. On August 16, 2017 (3 months later!) the planning commission determined that interim regulations were warranted. One month later (September 13<sup>th</sup>) we sat in the public hearing on and listened to public comment on the Tideflats Interim Regulations.

By far the greatest responsibility of the commission is to provide guidance for land use and development in the community. A properly developed, well thought-out master plan and an effective zoning ordinance can be of great value to a community. They provide an improved quality of life, more efficient use of financial and other resources, a cleaner environment and an economically healthy community. Both the master plan and the zoning ordinance should be consistently and accurately followed to make sure they are applied fairly and consistently to those they affect. Together they are valuable tools in building the kind of community that we all want.

Typically a master plan describes the community, outlines goals and objectives and maps areas of different land uses ranging from agricultural to industrial. Plans for new development are then reviewed to ensure consistency with what was planned. The real question the commission needs to ask itself is what kind of master plan does the City have for the Port that provides a balance of a cleaner environment and an economically healthy community. The community in NE Tacoma would have you believe that the Port should be a giant dog park with butterflies and birds, slowing growth and banning business in an effort to let the port go back to nature. Business would have you believe that they should be able to do what they want when they want with little or no governmental interference. Our organization sees the value in both points of view and we seek to find a middle road. That being said, regardless of how many people show up to oppose or support a project, you must represent the long-term interests of entire community, not just those at the public hearing, or who are shouting from the top of the hill.

Given the amount of time that has passed since the resolution has been in effect, we believe that the proposed interim regulations are unnecessary, arbitrary, and unsupported by facts. We urge the Planning Commission to reject these recommendations and to ensure that the Tideflats Subarea Plan is supported by quality research, public involvement and economic realities. Additionally, the proposed interim regulations that would have the City of Tacoma arbitrarily lump existing and potential businesses into a category called "high risk/high impact industrial uses," will undermine the balanced approach to the creation and retention of jobs in Tacoma. Jobs that provide a living wage that are used to drive the current economy in the City and the County. If you are trying to slow down growth or stop it, these rules will do it. They will also create a chilling effect on not only the manufacturing sector, but on other industries that are already wondering which among them is next to be targeted by the City's increasingly volatile regulatory climate. We will make more progress as a region when we work together to balance our shared interests in a balance of a cleaner environment and an economically healthy community.

If you have any questions please call me at 253-572-9612 or email at [todd@iuoe612.org](mailto:todd@iuoe612.org).

Respectfully,



Todd J. Mickelson  
Business Manager  
IUOE Local 612

## Wung, Lihuang

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**From:** James Mills <jamespmills@gmail.com>  
**Sent:** Friday, September 15, 2017 12:11 PM  
**To:** Planning  
**Subject:** Public comment

Dear Planning Commission:

Passing strong interim regulations is an important first step in Tacoma's future. I am hopeful that the Planning Commission will work on a Subarea Plan that recognizes that heavy industry and fossil fuels are not appropriate on the Tideflats and are not good for Tacoma. The future is not a handful of jobs in exchange for exorbitant profits for shareholders. The Tideflats is the homeland of the Puyallup people and the heart of Tacoma and its dirty industrial past need not be our future.

Unfortunately, the early indications suggest that the focus of the Planning Commission is taking a "middle ground," which cedes much to industry. By not allowing any non-industrial uses or residential uses in and around the Tideflats, but allowing expansion of existing industrial uses, the Commission has set the table for the expansion fossil fuels and heavy industry in the future. While many of the industrial uses are pre-existing and are "status quo," we have seen several moves to take advantage of the Planning Commission's historical slowness to act to their advantage. They seek to further grandfather in uses that will disadvantage our descendants for generations.

I am not a native Tacoman, but have lived here and worked here—all within a few miles of Tideflats—for over a decade and I intend to make this my permanent home. My three children were all born within view of the Tideflats and all attend daycare and school within two miles of downtown. These issues touch on the health and safety of all of us. I have seen great progress in our City of Destiny since I moved here and our reputation is slowly shifting from a dirty second class city near Seattle to a gritty and interesting City with its own Destiny. Let's make the Tideflats a selling point rather than an eyesore to be crossed between the different parts of our city. The Planning Commission has the ability to work with the Port to make that happen.

I am hopeful you will take the comments of the citizens of Tacoma to heart.

Sincerely,

James Mills

## Wung, Lihuang

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**From:** Patrick Morelli <PMorelli@Gardner-Fields.com>  
**Sent:** Friday, September 15, 2017 3:08 PM  
**To:** Planning  
**Subject:** Comments concerning Interim Regulations

Please take into account the Port of Tacoma has laid fallow a large majority of Port land when considering limitations on NEW heavy industrial use. We need to make the Port a larger economic engine for the City and the County. The thousands of jobs lost only shifts the tax burden to the citizens without increasing employment opportunities.

While a well-organized vocal minority attended the hearing last Wednesday, their “no fossil fuels” approach is short sighted at best. Without more local jobs, Tacoma becomes a bedroom community with more commuters on the road with a growing carbon footprint.

Patrick Morelli  
Gardner-Fields  
Tacoma Plant  
W: 253.627.4098 x700  
M: 253.377.9727

[pmorelli@gardner-fields.com](mailto:pmorelli@gardner-fields.com)

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## Wung, Lihuang

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**From:** Patrick Morelli <PMorelli@Gardner-Fields.com>  
**Sent:** Friday, September 15, 2017 3:12 PM  
**To:** Planning  
**Subject:** Comments concerning Interim Regulations

We need to define better what is existing and what is new uses. Those who have invested time effort and money to bring business opportunities to Tacoma should not get caught up in this regulation. I propose you consider everything applied for prior to January 1, 2018 as existing and in the works as it applies to the interim regulations.

Patrick Morelli  
Gardner-Fields  
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## Wung, Lihuang

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**From:** Patrick Morelli <PMorelli@Gardner-Fields.com>  
**Sent:** Friday, September 15, 2017 3:29 PM  
**To:** Planning  
**Subject:** Comments concerning Interim Regulations

Please keep existing businesses exempt from limitations on expansion as it applies to these interim regulations. These businesses are providing jobs to the local tax base and expansion is necessary to remain competitive. Simply look at the disincentive the port of Tacoma gave businesses when they purchased their land. Investment stopped when there was no reason to believe they would remain on the property long enough to recoup a return. In short order all those businesses folded. The result is less B&O tax to the city and the State, fewer jobs, and less grown for Tacoma.

Patrick Morelli  
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## Wung, Lihuang

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**From:** Patrick Morelli <PMorelli@Gardner-Fields.com>  
**Sent:** Friday, September 15, 2017 3:47 PM  
**To:** Planning  
**Subject:** Comments concerning Interim Regulations

I believe you heard from a vocal minority that eliminating ALL FOSSIL FUEL development from the Port is a good thing. Nothing could be farther from the truth. The age of fossil fuels is not over.

If the State of Washington really puts all efforts behind it, we can be largely independent of fossil fuels in 50 years. While technology exists to make personal transportation all electric in the next 20 years, we will still need jet fuel at SeaTac and JBLM. We will still need to refine crude oil for raw materials for manufacturing. We will need new facilities to convert those refined products into polymers etc. Putting an infrastructure in place to support all this will take time.

Heavy trucks will all move from diesel to LNG for cleaner more efficient fuel.

There is too much unused land in the Port of Tacoma to put too many restrictions on the development of heavy industrial. These two listed bullet points may sound good but have far reaching implications that do not make sound financial sense for the city of Tacoma.

- Oil and other liquefied fossil fuel terminals, bulk storage, manufacturing, production, processing or refining.
- Bulk chemical storage, production or processing, including acid manufacturing.

While you may wish to limit shipments of crude oil or coal, these two statement do far more than that. Be careful.

Patrick Morelli  
Gardner-Fields  
Tacoma Plant  
W: 253.627.4098 x700  
M: 253.377.9727

[pmorelli@gardner-fields.com](mailto:pmorelli@gardner-fields.com)

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## Wung, Lihuang

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**From:** Patrick Morelli <PMorelli@Gardner-Fields.com>  
**Sent:** Friday, September 15, 2017 4:06 PM  
**To:** Planning  
**Subject:** Comments concerning Interim Regulations

Let me preface my remarks. I DO believe man has a significant impact on climate change and we do need to significantly reduce our carbon footprint. As populations grow, we cannot continue to increase our CO2 emissions per person. I favor widespread transitioning away from a fossil fuel based economy.

To that end, we have all LED lighting in our home, we have installed solar panels on our home, we have a plug in hybrid car (cannot yet afford to drive a Tesla) and we use light rail and public transportation for commuting etc.

After Wednesday's meeting, I was the only one on the Link to the bus terminal. There were not 100 bicycles outside the convention center. The vocal minority that proclaimed the age of fossil fuels as over, got in their cars and drove home.

You cannot in good conscience put such onerous expansion limitations on the manufacturing sector as proposed in the interim regulations. We need to continue to supply the needs to SeaTac and Joint Base Lewis McCord. We supply products to Alaska out of this port. If Tacoma has no economic engine, we cease to be relevant. Mega warehouses will generate far more unregulated pollution in the name of truck traffic than any manufacturing facility could under EPA and Puget Sound Clean Air Agency regulations.

Patrick Morelli  
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Tacoma Plant  
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M: 253.377.9727

[pmorelli@gardner-fields.com](mailto:pmorelli@gardner-fields.com)

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## Wung, Lihuang

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**From:** Scott O'Brien <SOBrien@gardner-gibson.com>  
**Sent:** Friday, September 15, 2017 4:03 PM  
**To:** Planning  
**Subject:** Port of Tacoma

Good Afternoon,

My name is Scott O'Brien, and I was born here in Tacoma and am currently living here on the North Slope. Was present for the public comments section on Wednesday evening, and I heard many differing positions presented. It seems to me that the one common ground that all parties seemed to agree on is that we need to protect and continue to restore the land and waters of the port.

There was a strong presence of special interest proponents who would likely move to prohibit fossil fuel sales, production, or use, without considering the effects that would be encountered. If we were to disallow these companies to do business in the port, it will not do anything to reduce demand for the products that they are selling, it will just mean that they will sell their products elsewhere, where maybe they don't respect the environment as much as Tacoma, where environmental laws are more lax. It will also mean that we don't get the advantage of any job growth that these industries would create.

The simple fact is that we do not currently have the infrastructure in place to move away from all reliance on fossil fuels. Ocean going vessels will burn bunker C fuel (asphalt) as soon as they reach international waters if we do not make LNG available. As long as we allow petrochemical industries to do business in the port, we have the power to ensure that business is carried out in a manner that is beneficial to the residents of Tacoma, and respectful to our environment. By creating a moratorium, we will be greatly reducing the opportunity for growth and stymie the creation of new jobs in the area.

Please, while looking at this decision, take the time to consider the desired outcome all sides are hoping to see. As a father of two, I am very concerned about the effects of global warming, and am currently taking steps to reduce my reliance on fossil fuels, but realistically, shutting the port to these industries will just change the location of the transaction.

Thank you for your consideration,



Scott O'Brien  
Plant Manager  
Gardner-Gibson Tacoma  
PH: (253) 627-4098  
Cell: (360) 701-5429

## Wung, Lihuang

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**From:** Stacy Oaks <eddyssunprincess@gmail.com>  
**Sent:** Friday, September 15, 2017 1:14 PM  
**To:** Planning  
**Subject:** Interim Tideflats Regulations public comment

Attention Planning Commission:

Tacoma needs to make major decisions now to establish what its future will look like. I am encouraged the City and Port of Tacoma are taking the necessary action of creating and implementing a Subarea Plan to restrict the type of industry allowed to operate in our community. I think the quicker that plan can be finalized, the better. In the meantime, I support passing strong interim regulations.

I fear the impact fossil fuels- the extraction and burning of coal, oil and gas- have on the planet. Each year, for the last four years, has been the hottest year recorded on Earth. As the planet warms, we have seen the heartbreaking effects of climate change. The frequency and intensity of droughts, forest fires, floods, hurricanes earthquakes and super storms have increased with devastating impact.

We have all been complicit in this. We all bear some responsibility whether due to consumption, greed and/or ignorance. However, those in positions of power have a greater opportunity to act and therefore carry a larger burden. In fact, as elected officials, it is your moral obligation.

I implore you to pass a moratorium on all new fossil fuel/petrochemical infrastructure and industry. In addition, the expansion of existing fossil fuel/petrochemical infrastructure and industry must be prevented and non-polluting businesses should be both allowed and encouraged. It is comical and counter-intuitive that the proposed subarea plan prohibits the expansion of existing non-industrial uses in the Port/Tideflats. Without these guarantees, it seems as though the City and Port are simply paying lip service to the community while actually allowing oil and gas to expand (instead of transition). Finally, throughout this process, it is imperative that the Puyallup Tribe be consulted and respected. They should be at the table as an equal decision-maker and partner.

Polluting industry may not want additional, meaningful regulations to be put in place, but the residents of Tacoma do. Tacoma has a sorted and polluted past, but this toxic legacy doesn't have to spell out Tacoma's future too. Please do the right thing for our community and for the future livability of this planet.

Thank you for your time and consideration.

Stacy Oaks

September 13, 2017

## Tacoma City Planning Committee

My name is Ron Oline and together with my sister Judy Johnson own approximately 20 plus acres of M-1 Heavy Industrial zoned property between 1850 & 2100 Marine View Dr. Tacoma.

**We are very much opposed** to any interim or permanent zoning changes to our properties or any others within the port tide flat area. This area has been zoned and used in this manner since the very beginning of the City of Tacoma. In fact that is what it was intended to be used for. This so called buffer zone nonsense will do absolutely nothing, to quiet the people of Point Woodworth. In fact they already have a big hillside and elevation buffer, much more so than exists in some areas where industry and housing are only separated by a fence. A few hundred more feet will not stop pollution or the noise from the tide flats which has been going on for decades.

**The city of Tacoma should never have allowed the change of zoning from industrial gravel pit (Woodworth and Company) to residential zoning in the first place. We will not stand by idle while you try to devalue our property by down zoning and restricting its uses. If you want that kind of power you will need to buy it from us at full industrial value. Otherwise face an endless legal fight for our property owner's rights**

Sincerely X



Ron Oline

## Wung, Lihuang

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**From:** vpeaphon@aol.com  
**Sent:** Friday, September 15, 2017 11:08 AM  
**To:** Planning  
**Subject:** Interim Regulations

**DATE:** September 15, 2017

**TO:** Tacoma Planning Commission

**FROM:** Valarie Peaphon

**RE:** Interim Regulations

Attention Planning Commission:

Tacoma needs to make major decisions now to establish what its future will look like. I am encouraged the City and Port of Tacoma are taking the necessary action of creating and implementing a Subarea Plan to restrict the type of industry allowed to operate in our community. I think the quicker that plan can be finalized, the better. In the meantime, I support passing strong interim regulations.

I fear the impact fossil fuels- the extraction and burning of coal, oil and gas- have on the planet. Each year, for the last four years, has been the hottest year recorded on Earth. As the planet warms, we have seen the heartbreaking effects of climate change. The frequency and intensity of droughts, forest fires, floods, hurricanes, earthquakes and super storms have increased with devastating impact.

We have all been complicit in this. We all bear some responsibility whether due to consumption, greed and/or ignorance. However, those in positions of power, have a greater opportunity to act and therefore carry a larger burden. In fact, as elected officials, it is your moral obligation.

I implore you to pass a moratorium on all new fossil fuel/petrochemical infrastructure and industry. In addition, the expansion of existing fossil fuel/petrochemical infrastructure and industry must be prevented and non-polluting businesses should be both allowed and encouraged. It is comical and counter-intuitive that the proposed subarea plan prohibits the expansion of existing non-industrial uses in the Port/Tideflats. Without these guarantees, it seems as though the City and Port are simply paying lip service to the community while actually allowing oil and gas to expand (instead of transition). Finally, throughout this process, it is imperative that the Puyallup Tribe be consulted and respected. They should be at the table as an equal decision-maker and partner.

Polluting industry may not want additional, meaningful regulations to be put in place, but the residents of Tacoma do. Tacoma has a sorted and polluted past, but this toxic legacy doesn't have to spell out Tacoma's future too. Please do the right thing for our community and for the future livability of this planet.

Thank you for your time and consideration.

Sincerely,

Valarie Peaphon



September 15, 2017

Stephen Wamback, Chair  
Anna Petersen, Vice-Chair  
Members of the Planning Commission  
Tacoma Municipal Building  
747 Market Street, Room 345  
Tacoma WA 98402

Dear Stephen and all Members of the Planning Commission:

At the Tacoma-Pierce County Chamber we are working to make the South Sound the best place to do business in Washington State. I am writing you today regarding the proposed interim regulations for the Tideflats. I have concerns with these regulations and believe they will hinder us in becoming the best place to do business in Washington state.

I oppose the implementation of these interim regulations for a variety of reasons. First, the City Council has already made the decision to undertake a subarea plan for the Tideflats. Due to the importance the Port and Tideflats play in the Tacoma and Pierce County economy, it is vital a thorough subarea plan is conducted.

These proposed regulations are a clear threat to family wage jobs and the strength of the Port and Tideflats as an economic driver for Tacoma and Pierce County. These businesses are not faceless. Instead, they are full of people who live in our neighborhoods, who's jobs provide for their families, who's taxes pay for our schools, police, fire and roads. Over 29,000 members of our community depend on the Tideflats for good family wage jobs.

The proposed interim regulations lack clear scientific rational and would arbitrarily lump existing and potential businesses into a category called "high risk/high impact uses". This generalization undermines the creation and retention of jobs in Tacoma.

The proposed regulations will create a chilling effect on businesses, not just in the manufacturing sector, but in other sectors and industries, many of whom are already wondering which among them is next to be targeted by the increasingly volatile regulatory climate.

Let us not be driven by fear. We are governed by many regulations to keep our environment safe, whether it is by agencies at the Federal, State, County or local level. We already have protections in place to ensure our environment is protected for the future of our generations.

Let us not listen to the extreme voices who bring no solutions, who are only looking out for their own interests while marginalizing the working-class individuals whose livelihoods will be affected greatly by the proposed interim regulations.

Let us not put regulations in place to score political points that will hurt our region and our citizens. Let us instead work together to balance all interests involved in a collaborative, equitable and informed way through the upcoming subarea plan. This plan will enable all stakeholders to be heard. It is collaborative 2-year process and will bring ALL voices together for our future!

We need to consider solutions that have triple wins in mind: Social Equity, Environment and Economic. We all live here, we all would like to work here and we all would like to enjoy the natural resources here as well!

Therefore, please reject these Interim regulations and instead accept the equitable, inclusive and just process of a subarea plan. Doing so will help plan towards a future where we can have triple wins and support the equity and prosperity for ALL residents.

Best wishes,



Tom Pierson, President & CEO  
Tacoma-Pierce County Chamber

cc: Mayor of Tacoma  
Tacoma City Council Members  
Tacoma-Pierce County Chamber Board of Directors  
Interested Parties

## Wung, Lihuang

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**From:** Beth P <bethiep123@comcast.net>  
**Sent:** Friday, September 15, 2017 8:39 AM  
**To:** Planning  
**Subject:** Tideflats Interim Regs Comments

Thanks for the chance to comment. The hearing on Wednesday was well run and informative.

1. Expanded notification - Please consider expanding notice even further, to the entire Salish Sea region, south and north. We are all in this together and need to work as a region. Please join forces w/our neighbors to steer us away from fossil fuel and develop clean jobs that are good for the environment and families.

2. Non-Industrial Uses - Right direct, but please consider prohibiting expansion of EXISTING INDUSTRIAL uses as well. Even I, an English teacher, can see the ability for business to immediately get its nose under the proverbial tent. US Oil has already applied for expansion. We need to steer away from fossil fuel and develop clean, new, modern jobs that are good for the environment and families.

3. Marine View Drive Residential Restrictions - Bravo! Let's prohibit industrial development as well. Please take further steps to preserve our water, air, land, and future generations.

4. Heavy Industrial Special Use Restrictions - Please put this in place ASAP!!! Some at the hearing felt a PAUSE would equal a MORATORIUM. What's wrong with that??? Please be bold, take the forward thinking steps to change Tacoma's future and our region's future for the BETTER. Please steer us away from fossil fuel and develop clean jobs ASAP.

Thanks for this change.

Beth Prevo  
8017 Custer Rd SW Unit A1  
Lakewood WA 98499  
[bethiep123@comcast.net](mailto:bethiep123@comcast.net)

Beth

Ultimately, we have just one moral duty: to reclaim large areas of peace in ourselves, more and more peace, and to reflect it towards others. And the more peace there is in us, the more peace there will also be in our troubled world. *Ety Hillesum*

## Wung, Lihuang

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**From:** Jean Ray <rayjean65@yahoo.com>  
**Sent:** Friday, September 15, 2017 11:40 AM  
**To:** Planning  
**Subject:** Interim Regulations for the Tideflats Comments

[planning@cityoftacoma.org](mailto:planning@cityoftacoma.org)

Dear Planning Commission:

Thank you for your volunteer service, and thank you for providing opportunities for citizens to voice their concerns about the Interim Regulations for the Tideflats.

I am Jean Ray, retired Boeing Associate Technical Fellow as a chemist–material scientist. My experience included working with cryogenic fluids, cryogenic rocket fuels and jet fuels. I am not a consultant for any LNG related company.

I am a 30 yr resident of King Co and have relatives as life-long residents in Tacoma.

I urge the commission to review all relevant national and state requirements related to LNG data and impose strict safety rules on any LNG facility and pipeline. The proposed interim regulations should focus on fossil fuels. The safety requirements for the LNG plant must be reviewed and brought up to the highest standards as the safety issues of this plant's location are not adequately addressed. You have the opportunity and authority to to impose the highest possible safety standards.

I am submitting several safety /fire./explosion concerns with references to some federal and state requirements and restrictions for LNG/LPG plants . Chemically the fire and explosion and human exposure hazards are the very similar for “natural gas/methane” (LNG) and propane products (LPG) therefore I have included both in the data below.

LNG is considered a hazardous material. The primary safety concerns are the potential consequences of an LNG spill. LNG hazards result from three of its properties: • Cryogenic temperatures • Dispersion characteristics • Flammability characteristics. When compressed it becomes a liquid, 1 litre of liquid LNG gas is the equivalent of 270 litres of gas.. This compression makes the transportation and storage significantly more transportation viable.

**BEHAVIOR OF LPG** When LPG is released, it rapidly vaporizes and mixes with air.

If the released gas is not properly dissipated, it will readily ignite upon contact with sparks, open flames, or any other sources of ignition. The fire, however, may not be so serious unless the gas is confined. In that case, an explosion may occur, the intensity of which will depend upon the degree of commitment.

In open air, flaming LPG vapor will travel at about 15 feet per second depending on the atmospheric conditions and the concentration of the gas. There will be spots where there is not enough air and the travel will be retarded until air is in correct proportion.

1) Federal Department of Transportation's Pipelines and Hazardous Materials Safety Administration reports the following:

The industry's “track record is quite good, in terms of safety,” said Guy Colonna, division director for the National Fire Protection Association, a nonprofit codes and standards organization that wrote the rules the federal authorities apply.

The association's [standard for LNG](#) includes explicit provisions for where plants can be safely located and how potential dangers, such as vapor clouds or liquid gas spills, must be accounted for.

2) People can be exposed to LPG in the workplace by breathing it in, skin contact, and eye contact. The [Occupational Safety and Health Administration](#) (OSHA) has set the legal limit ([Permissible exposure limit](#)) for LPG exposure in the workplace as 1000 ppm (1800 mg/m<sup>3</sup>) over an 8-hour workday. The [National Institute for Occupational Safety and Health](#) (NIOSH) has set a [recommended exposure limit](#) (REL) of 1000 ppm (1800 mg/m<sup>3</sup>) over an 8-hour workday. At levels of 2000 ppm, 10% of the lower explosive limit, LPG is considered [immediately dangerous to life and health](#) (due solely to safety considerations pertaining to risk of explosion).<sup>[21]</sup>

**[CDC - NIOSH Pocket Guide to Chemical Hazards - L.P.G.](#)**. [www.cdc.gov](#). Retrieved 2015-11-28.

- [Propane 101](#) Explaining propane and LP Gas fundamentals
- [NIOSH Pocket Guide to Chemical Hazards](#) [Centers for Disease Control and Prevention](#)

3) The PSE project's environmental impact statement, "**only two LNG safety-related incidents have occurred that resulted in adverse effects to the public or environment.**" **Michael Stravato** New York Times file, 2011 This is contradicted by Federal gov't list of LNG explosions readily found by computer search Category: Gas explosions in the United States  
Some details are included here on 2 of 19 LNG/LPG incidents

**3A)Doxol disaster** or **Kingman** was a catastrophic [boiling liquid expanding vapor explosion](#) (BLEVE) that occurred on July 5, 1973, in [Kingman, Arizona](#).

[https://en.wikipedia.org/wiki/Category:Gas\\_explosions\\_in\\_the\\_United\\_States](https://en.wikipedia.org/wiki/Category:Gas_explosions_in_the_United_States)

The explosion occurred during a [propane](#) transfer from a Doxol railroad car to a storage tank on the Getz rail siding near Andy Devine Avenue/Route 66. The incident began when a railroad worker attempted to tighten a leaking connection by hitting a wrench with another wrench or a hammer; this caused a spark that ignited the leaking propane gas. The initial fire badly burned the two railroad employees present, one of whom later died from his burns. The burning propane gas escaping from the valve connection on the rail car quickly heated the liquid propane inside, increasing the tank pressure. This in turn increased the leak and fire, further heating the tank car.<sup>[1]</sup>

The fire department was in the process of setting up a [deluge gun](#) to cool the car, which would have delivered far more water than the booster attack lines they initially were using; however, before the deluge gun could be made ready, the pressure inside the tank car reached the design bursting limit and the tank car exploded. Almost instantaneously, thousands of gallons of boiling liquid propane [flashed to gas](#) with the drop in pressure and simultaneously ignited. The resulting explosion produced a [shock wave](#) that was heard and felt for over 5 miles, and a fireball over 1,000 feet in diameter. Burning propane rained down on everything in the vicinity, and the remnants of the rail car were propelled over a quarter mile from the explosion site. **11 firemen one State trooper died at the site** **Over 90 onlookers gathered on the highway were burned or injured, some badly.**

**3B) 1970 Propane vapor cloud explosion in Port Hudson** in [Missouri](#) resulted from a [propane pipeline](#) break, which led to the formation of a large, dense vapor cloud. Upon ignition, the vapor cloud exploded with tremendous force. Both near- and far-field damage indicate that this explosion may be attributed to the [detonation](#) of propane in air with an energy release equivalent to that from about 50 tons of detonating [trinitrotoluene](#) (TNT). The violence of the explosion is likely unprecedented. As such, the accident is widely quoted as one of the first, if not the first, confirmed accidental occurrences of an unconfined vapor cloud [deflagration](#) that turns into a [detonation](#) - a so-called [deflagration to detonation transition](#). The accident represents a "worst-possible" sort of case history for assessment of the hazards of fuel transportation. The pipeline was owned by Phillips Pipeline Company.

[Blue Rhino propane plant explosion](#)

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**[1984 Romeoville petroleum refinery disaster](#)**

**[Cleveland East Ohio Gas explosion](#)**

## East Boston gas surge

## 2014 East Harlem gas explosion

- [2015 East Village gas explosion](#)
- [Edison, New Jersey natural gas explosion](#) [FFormosa Plastics propylene explosion](#)

## Humberto Vidal explosion

## 2006 Falk Corporation explosion

## New London School explosion

## Pittsburgh gasometer explosion

- [1970 Propane vapor cloud explosion in Port Hudson](#)

## Richmond Hill explosion

- [Richmond, Indiana explosion](#)

## 1998 St. Cloud explosion

[San Bernardino train disaster](#)

[San Bruno pipeline explosion](#)

## Waynesboro 5th Street Fire

**4) Do other experts and the Tacoma Fire Department agree with this safety assessment?** <http://www.thenewstribune.com/news/local/article87326512.html>

A. Not universally.

Even decades into the industrial production of LNG, the federal government still is working out its dangers. [At a video-recorded U.S. Department of Transportation workshop in May](#), experts discussed how LNG might be as vulnerable as other petrochemicals to explosions of vapor clouds from industrial leaks [if the air near the plant is stagnant](#).

[Last year, during a public debate over whether to build a larger LNG plant in Coos Bay, Oregon](#), two LNG scientists filed a detailed critique that faulted federal LNG policy for not matching the industry's growth and diversification. The result, they wrote, sets a stage for disaster. Among other problems, Jerry Havens of the University of Arkansas and James Venart of the University of New Brunswick wrote, current regulations for managing leaks could concentrate flammable vapors enough to foster severe explosions.

Additionally, they wrote, the variety of other chemicals and machinery at LNG fueling facilities creates the potential for "severe cascading effects," including "catastrophic failure of the tank (or tanks)." Such a fire, they wrote, "would surely extend ... well beyond the facility property lines, to say nothing of the potential for catastrophic damage to the entire facility."

Federal regulators denied that plant a construction permit in March, [saying insufficient need for the project had been shown](#).

5) What are the dispersing LNG vapor cloud exclusion zone plans for the proposed PSE Tacoma plant? Have the plans been approved by relevant gov't agencies? What is the vapor exclusion zone proposed for Tacoma/Federal Way and does it include residential areas? This document below makes it clear that this is a required issue to be addressed and controlled per several federal, state, and local agencies.

Safe distances from dispersing LNG vapor clouds are determined by the same NFPA standards or by a computer model that considers average gas concentration in air, weather conditions, and terrain roughness. The exclusion zones for the LNG facility in Cove Point cover 1,017 acres, and the exclusion zones for the Elba Island, Georgia facility cover 840 acres.

## **LIQUEFIED NATURAL GAS IN CALIFORNIA: HISTORY, RISKS, AND SITING CALIFORNIA ENERGY COMMISSION Staff White Paper 26p JULY 2003 700-03-005**

<http://www.energy.ca.gov/serp.html?q=LNG+safety&cx=001779225245372747843%3Actr4z8fr3aa&cof=FORID%3A10&ie=UTF-8&submit.x=10&submit.y=4>

This paper describes LNG import facilities and summarizes the key safety and environmental issues that need to be addressed during the siting process. It is organized into the following sections: • Background • History • Current Projects • Siting Processes

**Safety Concerns** LNG is considered a hazardous material.<sup>1</sup> The primary safety concerns are the potential consequences of an LNG spill. LNG hazards result from three of its properties: • Cryogenic temperatures • Dispersion characteristics • Flammability characteristics

The extreme cold of LNG can directly cause injury or damage. Although momentary contact on the skin can be harmless, extended contact will cause severe freeze burns. On contact with certain metals, such as ship decks, LNG can cause immediate cracking. Although not poisonous, exposure to the center of a vapor cloud could cause asphyxiation due to the absence of oxygen. LNG vapor clouds can ignite within the portion of the cloud where the concentration of natural gas is between a five and a 15 percent (by volume) mixture with air.<sup>2</sup> To catch fire, however, this portion of the vapor cloud must encounter an ignition source. Otherwise, the LNG vapor cloud will simply dissipate into the atmosphere. An ignited LNG vapor cloud is very dangerous, because of its tremendous radiant heat output. Furthermore, as a vapor cloud continues to burn, the flame could burn back toward the evaporating pool of spilled liquid, ultimately burning the quickly evaporating natural gas immediately above the pool, giving the appearance of a "burning pool" or "pool fire." An ignited vapor cloud or a large LNG pool fire can cause extensive damage to life and property.<sup>3</sup> Spilled LNG would disperse faster on the ocean than on land, because water spills provide very limited opportunity for containment. Furthermore, LNG vaporizes more quickly on water, because the ocean provides an enormous heat source.

For these reasons, most analysts conclude that the risks associated with shipping, loading, and off-loading LNG are much greater than those associated with land-based storage facilities.

**The permitting authority, in cooperation with the DOT-Office of Pipeline Safety and the Coast Guard, would determine the exclusion zones for LNG tankers and port facilities.**

**Jean Ray**

**3809 S 243 St Kent WA 98032**

**206 650 0026**

## Wung, Lihuang

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**From:** n.reetz@comcast.net  
**Sent:** Friday, September 15, 2017 4:37 PM  
**To:** Planning  
**Subject:** Tideflat Interim Regulation comments

Dear Planning Commission,

I'm writing to urge you to support the Tideflats Interim Regulations and put a pause on the high impact/high risk uses that are exposing our community to unacceptable health and safety risks. Please consider the following:

- NE Tacoma is suffering from high impact heavy industrial activity that is allowed too close to our community – such as noxious petrochemical odors, extremely loud noises, and extraordinary traffic congestion.
- NE Tacoma is overexposed to high risk heavy industrial activity as a result of allowing companies who handle/process/refine/store/distribute extremely explosive and flammable hazardous materials that emit cancer causing toxins to be located right next to densely populated residential neighborhoods.
- The City of Tacoma has allowed this problem to develop and rapidly expand for decades by not taking proactive steps and establishing protective policies that properly separate incompatible land uses. We have arrived at the tipping point and can no longer ignore this problem. The time to act is now.
- NE Tacoma has an immediate and urgent need for the Planning Commission to act now to put a pause on these heavy industrial activities that are incompatible with residential neighborhoods, while land use policies are fully analyzed in the sub area planning process.
- At the August 16<sup>th</sup> planning meeting you voted to reduce the list of prohibited uses that Tacoma Planning staff presented to you in Category 4 of the Interim Regulations, without substantial discussion of the impacts/risks of each of the use types your removed from the list. We request that you restore the entire original list of prohibited high risk/high impact heavy industrial activities in Category 4, especially **metal recycling**, as we currently suffer profound impacts from the metal recycler on Marine View Drive.
- After the August 16<sup>th</sup> planning commission meeting, somehow the language was changed from what Tacoma Planning staff presented to you, to allow existing businesses to expand without limitation. We request that you restore the original language regarding the expansion of existing business with prohibited uses in Category 4, that allowed **existing businesses to expand up to 10%, subject to approval of a Conditional Use Permit**. This will help to ensure that the extreme impacts from these existing business with prohibited uses are limited until the sub-area plan addresses this problem with permanent solutions. For example, there are a number of existing petrochemical facilities close to NE Tacoma that significantly and negatively impact our air quality (emissions and odors), impact traffic congestion, and expose us to significant safety risks.
- We strongly support the policies outlined in Category 1 for expanded notification on heavy industrial uses proposals.
- In Category 3, any residential development is prohibited in the stretch of residentially zoned land on the slope and bluffs along Marine View Drive from Fife to Browns Point. Additionally, in Category 2 existing non-Industrial uses are not allowed to expand at all. However, as Category 4 is currently written, existing business with high impact/high risk uses are allowed to expand without limitation. This is a completely unfair approach to addressing the conflict between residential and high impact/high risk land uses. It puts all the burden on Residential and Non-industrial property/business owners, and no burden at all on the existing high impact/high risk heavy industrial business.

To the residents of NE Tacoma the heavy industrial impacts and risks are immediate, substantial, and ultimately intolerable. Our community has the strongest and most immediate need for action. You were instructed by the City Council to include the needs outlined in the NE Tacoma Buffer Zone proposal in the Interim Regulations.

However, the current version of the Interim Regulations fails to address those needs. Please follow the direction of City Council and make the changes in the short term by restoring Tacoma Planning staff's recommendations in Category 3 of the Interim Regulations, and in the long term through the sub-area process.

Sincerely,

Nanette Reetz

NE Neighborhood Council

Co-chair

Sent from my iPhone



Western States Petroleum Association  
Credible Solutions • Responsive Service • Since 1907

**Catherine H. Reheis-Boyd**  
President

September 15, 2017

Stephen Atkinson  
Senior Planner  
Tacoma Planning Commission  
747 Market Street, Room 345  
Tacoma, WA 98402

Sent via email at: [satkinson@cityoftacoma.org](mailto:satkinson@cityoftacoma.org)

Re: WSPA Comments on the City of Tacoma's Planning & Development Services Department  
Tideflats Interim Regulations

Dear Mr. Atkinson:

The Western States Petroleum Association (WSPA) appreciates the opportunity to provide comments regarding the City of Tacoma's Planning & Development Services Department Tideflats Interim Regulations. Our member companies are key stakeholders in the tideflats area. WSPA is a non-profit trade association that represents companies that account for the bulk of petroleum exploration, production, refining, transportation and marketing in five western states, including Washington.

WSPA members have grave concerns with the proposed prohibitions in the Tideflats Interim Regulations on new infrastructure. In addition, the prospect of promulgating an overly complicated set of regulations that could inhibit local growth in the area is deeply concerning to WSPA and its members.

The State of Washington's overly cautious protection of our region's vital ecology during business development processes lengthens both siting and expansion timelines. As such, the absence of a sunset date for this prohibition will create regulatory uncertainty and prevent businesses from planning growth in the tideflats region even after the subarea plans are completed and the prohibition is loosened.

In the absence of a demonstrated emergency dictating the need for an interim set of regulations, we respectfully ask that the City of Tacoma Planning & Development Services Department slow down

1415 L Street, Suite 600, Sacramento, California 95814  
(916) 498-7752 • Fax: (916) 444-5745 • Cell: (916) 835-0450  
[cathy@wspa.org](mailto:cathy@wspa.org) • [www.wspa.org](http://www.wspa.org)

Mr. Atkinson  
September 15, 2017  
Page 2

and take the appropriate timeframe to develop an approach that takes into account all of the local and regional laws and policies that would be impacted by this proposed amendment. WSPA concurs with, and adopts by reference, the AWB letter on the same topic dated September 15, 2017.

Thank you for your consideration of WSPA's comments. We welcome any questions or comments you might have regarding this matter. If you have questions, please contact me at this office, or Jessica Spiegel of my staff at [Jessica@wspa.org](mailto:Jessica@wspa.org), or phone at (360) 352-4512.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cathy Atkinson-Bryce", is written over a thin horizontal line.

# **BENNETT INDUSTRIES INC.**

*"IT IS OUR MISSION TO PROVIDE GENERAL MANUFACTURING SERVICES AND  
DEFENSE PRODUCTS IN SUPPORT OF THE CITIZENS AND ENTERPRISES OF THE  
UNITED STATES OF AMERICA"*

To Whom It May Concern:

We are writing with regards to the memo from Stephen Atkinson dated July 27, 2017 to the members of the Planning Commission, subject: Tideflats Interim Regulations. Specifically I would like to address Attachment 1: Tideflats Interim Regulations: Summary of Staff Recommendations.

The staff recommendations would have the City of Tacoma arbitrarily create a category called "high risk/high impact industrial uses" and lump a variety of existing and potential businesses into that category. This is beyond the pale.

There is neither scientific research nor quantifiable method to the proposed categorization of the industrial uses in the Tideflats. In addition, the recommendation to limit existing companies' growth potential by 10-20% creates chilling effect across the Tacoma economy.

Washington State voters and elected leaders have adopted state laws that reflect the environmental values of Washingtonians. Our regulations are among the strictest in the country, and as a result our state is ranked #4 for eco-friendly. Legal and appropriate business activities operate within these strict parameters. The companies we work with every day embrace a strong environmental ethic not just because they must under law, but because they know it is for their employees, customers and the bottom-line.

The Tideflats area is designed by the City of Tacoma and the Puget Sound Regional Council as a Manufacturing/Industrial Center. That very designation was, by design, created to encourage the very kind of industrial uses that the proposed interim regulations now seek to block. The family-wage industrial jobs in the Tideflats pay among the highest in Tacoma and well above the City and County average. Randomly slapping prohibitions or limitations on creation of these jobs will have detrimental effects for the quality of life of hundreds of families as well as the city's tax base.

The staff recommendations for interim regulations are unnecessary, arbitrary, and unsupported by scientific evidence. We respectfully urge the Planning Commission to reject these recommendations to ensure that Tideflats Sub-area Plan is supported by quality research, public involvement, and economic realities.

Sincerely,

The Employees of Bennett Industries

David Riddle



General Manager

9-14-17

Paul Floyd

Cindy Warren

Bob J. Thun

AKH

Dillon Hansen

Alley O'Connell

W.A.

Don Wier

Erin Wilkshott

Jim Paul

Joe Williams

BOB O'CONNOR

Jill A. Mohr

Erin C. Ketchum

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1160 THORNE ROAD, TACOMA, WA 98421. PHONE (253)627-7775, FAX (253)383-7644

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## Wung, Lihuang

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**From:** Edwin Robinson <edwin.robinson@gmail.com>  
**Sent:** Friday, September 15, 2017 4:49 PM  
**To:** Planning  
**Subject:** interim regulations

Hello,

I was at the meeting regarding interim regulations for the port of Tacoma on Tuesday at the Convention Center. What struck me most was that for the the most part those who support interim regulations are those who choose to make Tacoma their home, while those who opposed regulations were from out of town and didn't have a vested interest in our community other than how it effects their job.

I'm among those who live in Tacoma and am strongly in favor of restricting future development by fossil fuel industries in our port.

Thank you,  
Ed Robinson

## Wung, Lihuang

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**From:** margorolf@aol.com  
**Sent:** Friday, September 15, 2017 2:21 PM  
**To:** Planning  
**Subject:** Tideflats Interim Regulations Commentary

City of Tacoma Planning Commission,

Thank you for the opportunity to have citizens speak out in the hearing on Thursday, Sept. 13, 2017 and for listening so intently, politely and patiently to concerned citizens in the area as they expressed their opinions of future development and growth of Tacoma's Tideflats and for providing this written commentary venue.

We are at a possible turning point for area development. We can continue to go down that road of fossil fuel infrastructure development or we can say it is time to go in the direction of clean and sustainable energy. If new fossil fuel infrastructure is built, it will simply prolong the use of fossil fuels to the detriment of future generations of Tacoma, surrounding areas, and the world as a whole.

I am submitting this commentary **in solidarity** with those who wish to **protect the Tideflats, the Bay and the Puget Sound**, those who stand with the indigenous people of the **Puyallup Tribe** whose lands and waters are and will be affected and those who want our area to be one leading the way in clean and sustainable energy.  
**It is time to say NO to more fossil fuel facilities and to stop expansion of those in existence.**

For those who claim that LNG is clean and safe:

LNG when burned still emits carbon dioxide  
LNG is the liquified state of methane which is dirty at extraction (fracturing) and is dirty as it leaks from pipelines in transit and is a more destructive GHS as it is 85-86 times more powerful over a period of 20 years than carbon dioxide.  
Ask about the water at the extraction points. What are we doing and will continue to do for decades to ground water?

For those who say the PSE facility is safe, please ask what it will do when the power goes out and the back-up goes out after a serious earthquake and the lng starts to warm.

For those who have children and grandchildren please ask "are we doing the right thing for future generations" in prolonging the use of fossil fuels when we should be turning toward clean and sustainable energy.

**Is this the direction Tacoma should be going? Is it the direction that it has to go?**

**Below are two LNG plans that have been withdrawn. Tacoma should take note.**

A quote from the Vancouver Sun:

**"Is this good business when the market does not support it. In July, a consortium led by Malaysia's state-owned Petronas cancelled its \$36-billion Pacific NorthWest LNG project near Port Edward, B.C., citing a downturn in market conditions." Sept. 14, 2107**

Also from the Vancouver Sun:

**"Nexen Energy, a Calgary-based subsidiary of Chinese oil giant CNOOC Ltd., said it has decided with Japanese partner INPEX Gas British Columbia Ltd. to stop work on a feasibility study on the proposal. The company said in a statement posted on its website that the current "macro-economic environment" doesn't support building a large LNG business as proposed at Digby Island, west of Prince Rupert, B.C." Vancouver Sun Sept. 14, 2017**

My own personal questions are:

Are there no clean industries interested in the City of Destiny ? Can't Tacoma attract clean-energy jobs?

Please take more time to allow greater and more in depth review of all issues and of all possibilities.

Thank you,

Margo Rolf

29610 2nd PI SW

Federal Way, Wa 98023

[margorolf@aol.com](mailto:margorolf@aol.com)

September 13, 2017

City of Tacoma Planning Commission  
Tacoma Municipal Building North  
747 Market Street, #345  
Tacoma, WA 98402

**Subject: Draft Tideflats Interim Regulations**

Dear Acting Chair Wamback and Commissioners,

On behalf of the members of the Pacific Merchant Shipping Association (PMSA), including ocean carriers and marine terminal operators serving the West Coast, including the ports of Tacoma and Seattle PMSA submits the following comments on the proposed Tideflats Interim Regulations.

As industrial tenants of the Tideflats area, PMSA members are concerned that restricting the types of industrial businesses and their practices will negatively impact their ability to compete in both international and coastwise trade and therefore restrict the number of good paying family wage jobs in Tacoma and the region. The overall economic well-being of the region and state depends on a fully functional and operational port system to move goods and commodities in and out of our region. We are pleased that the latest draft Regulations removed provisions restricting growth in the grain sector. We are hopeful that this will continue to be the case.

We agree with the Port of Tacoma's statement in their August 28, 2017 correspondence that these issues would be better resolved in a more comprehensive approach, a Subarea Plan. We further agree with the port's analysis that the current process is not the right venue for changing the Container Ports Element of the Comprehensive Plan. Because PMSA has a long history of involvement on the development of Container Ports Initiative we are concerned that the current Tideflats Interim Regulations process would undo the progress made to date to keep our ports competitive on the West Coast and internationally.

In 2009, PMSA worked with then Governor Gregoire's office and the State Legislature to create the Container Ports Initiative in order to support port competitiveness and family wage jobs. This resulted in a mandate that Seattle and Tacoma include a Container Ports Element in their respective Comprehensive Plans. These planning elements contain references to transportation, land use, and economic development.

The goal of the Governor and legislature regarding Land Use policies related to these facilities of statewide significance is clear:

*"In order to achieve their future potential, our container ports will need the support of local governments as decisions are made related to land use and transportation. Competing visions for the use of our industrial shorelines, conflicts between high-traffic trucking corridors and pedestrian-friendly neighborhood redevelopment, and changes in zoning which push warehouse and distribution centers away from designated harbor areas, have the potential to significantly impair port operations and limit future economic development opportunities."*

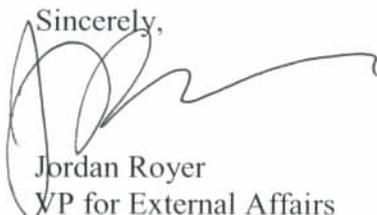
*Source: 2009 Container Ports Initiative Policy Brief*

We are also concerned that much of the public comment so far gives the impression that the port and maritime industrial businesses are not participating in improving the environment. Nothing could be further from the truth. The port has invested over \$250 million in environmental restoration in the Tideflats. PMSA member companies are modernizing equipment and have achieved a zero oil spill record during transits into and out of port and implemented a number of other measures to reduce their environmental footprint from ballast water management to cleaner fuels use and engines and maintenance issues like the use of much improved hull coatings to improve efficiency and reduce invasive species threats.

The third NW Ports Emissions Inventory is underway to measure current emissions and will show huge percentage reductions in particulate matter and other emissions. And, the inventory will help identify further efforts to reduce them. We have made great progress to date and the latest inventory will show even greater reductions. The investments that TOTE is making to switch over to LNG for propulsion is also a huge step forward for healthier air. This is why the LNG facility is supported by EPA and the Puget Sound Clean Air Agency – also partners on the NW Ports Air Emissions Inventory.

In closing, we urge the Commission to consider working with the Port of Tacoma and Northwest Seaport Alliance to strengthen the region's competitiveness in international trade and continue to generate the types of jobs that support families throughout the region.

Sincerely,



Jordan Royer  
VP for External Affairs

## **Wung, Lihuang**

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**From:** Florence Sandler <fsandler@pugetsound.edu>  
**Sent:** Friday, September 15, 2017 2:59 PM  
**To:** Atkinson, Stephen  
**Cc:** Ibsen, Anders; Thoms, Robert; Blocker, Keith; Campbell, Marty; Lonergan, Joe; Walker Lee, Lauren; McCarthy, Conor; Mello, Ryan  
**Subject:** Statement for the Commission and the City Council

For the Commission and the City Council

### Statement for Implementation of the Commission's Recommendations

Thank you for the opportunity for public input.

As I see it, the gist of the present situation is this:

1. The Port of Tacoma is a prime target for the expansion of export facilities for the fossil fuel industries, and this is the moment when the City can still decide that its future lies instead with energy that is clean, renewable --- and by now equally viable in economic terms.
2. Clearly the prevention of further fossil fuel expansion needs to apply to present just as much as to future fossil fuel facilities, and right now the provisions should be limited to that main issue. Side issues will need to be dealt with on their own terms, but raising side issues at this point riles up other interest groups unnecessarily and serves to delay and to distract from the main issue.

The choice needs to be made decisively and quickly, since the longer the debate goes on, the more time and opportunity that gives the fossil fuel industries to strengthen their position.

Florence Sandler  
1212 N. Washington Tacoma, WA 98406

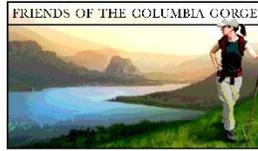
## Wung, Lihuang

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**From:** rick semple <ricksemple@mac.com>  
**Sent:** Friday, September 15, 2017 4:57 PM  
**To:** Atkinson, Stephen  
**Subject:** interim regulations comment

comments on interim regulations:

the area forming a peninsula between the Thea Foss waterway and the Middle waterway and north of 11th street is shown on Map #1 as a "Core Area" surrounding an Industrial/Commercial Buffer. This "buffer" area is currently heavily used as a fuel storage area. The map should be redrawn to show current and allowed uses.



City of Tacoma Planning Commission  
747 Market Street, Room 345  
Tacoma, WA 98402  
[planning@cityoftacoma.org](mailto:planning@cityoftacoma.org)

Re: Comments on Draft Interim Regulations for the Tacoma Tideflats

Dear Planning Commissioners:

We thank the City of Tacoma Planning Commission and the Planning and Development Services Department for this opportunity to comment on protections for the Tacoma Tideflats, an area whose developments directly impact the safety and environment of the Columbia River and the Columbia River Gorge. Our communities are connected through a desire for good jobs, support for clean rivers, and the hope of healthy salmon runs for generations to come. We are also connected through potential threats posed by fossil fuel developments in our region, including oil train terminals.



*Above: A mile-long oil train bound for U.S. Oil facility in Tacoma derails, spills, and burns in small town of Mosier, Oregon. June 3, 2016. Photo by Paloma Ayala.*

On June 3<sup>rd</sup>, 2016, we felt a deep connection to Tacoma when a crude oil-laden train derailed on Union Pacific's tracks through Mosier, Oregon. The train was traveling at 26 miles

per hour to the U.S. Oil facility in Tacoma at the time of its derailment. Carrying approximately 3 million gallons of volatile Bakken crude oil, the train derailed only a few hundred feet from the Mosier Community School. Four cars ruptured, and the ensuing fire burned for 14 hours while first responders evacuated the school, nearby homes, and businesses. Even today, contamination from spilled Bakken crude oil remains in Mosier's groundwater despite cleanup efforts. In June 2016, we were reminded that oil-by-rail developments threaten not only the communities in which the terminals are based, but also those communities – like Mosier, Vancouver, and Portland - that lie in the path of the mile-long, 100-plus car “bomb trains” that supply the terminals.

In response to the Mosier oil train derailment, a mounting climate crisis, and the desire for our region to pursue clean energy, we encourage the City of Tacoma to consider strong interim regulations that stave off new and expanded fossil fuel infrastructure. These regulations should focus on banning new and existing fossil fuels. New and expanded fossil fuel facilities pose an imminent threat, not only to Tacoma, but also to communities in the Columbia River Gorge and elsewhere in Washington and Oregon.

We urge the Planning Commission to focus the regulation specifically on fossil fuels – substances that pose a risk both to our climate and our public safety. We urge the Planning Commission to ban the expansion of existing fossil fuel facilities in the Tideflats. As proposed, the draft regulations do not address existing fossil fuel infrastructure, which could allow the expansion of oil-by-rail facilities that pose a direct risk to Columbia River communities. Strong interim regulations are essential for the short-term protection of Tacoma's environment, economy and public health while the longer subarea planning process unfolds. Without protections against fossil fuels, Tacoma's more deliberative process could be hamstrung or rendered meaningless by new, dangerous proposals.

Fossil fuels represent the most significant and urgent issue in the Tideflats and are therefore deserving of the focus of interim regulations. The Pacific Northwest has long been a target for the fossil fuel industry, and Tacoma is particularly vulnerable due to its natural deep water port, existing infrastructure, rail access, and proximity to Asian energy markets. As the Mosier oil train derailment demonstrates, fossil fuel projects in Tacoma can have far-reaching impacts. And Mosier was far from a worst-case scenario. Indeed, the City of Vancouver concluded through the review of an expert consultant that an oil train derailment could cause up to \$6 billion<sup>1</sup> in damages, highlighting the enormous risks associated with potential fossil fuel expansions in places like the Tacoma Tideflats. These unacceptable risks would apply to Tacoma, Vancouver, Mosier, and every community potentially linked by oil train traffic.

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<sup>1</sup> Blackburn Consulting Group. Report to the City of Vancouver. Pre-filed testimony before Washington Energy Facility Site Evaluation Council. May 2016.

<http://www.efsec.wa.gov/Tesoro%20Savage/Adjudication/Exhibits/Tesoro/PreFiled%20Testimony%20of%20Robert%20J%20Blackburn%20Filed%20by%20the%20City%20of%20Vancouver.pdf>

The risks of fossil fuels obviously extend beyond local public safety and water quality concerns. Fossil fuels and climate change pose a serious risk to the health of our waters through rising sea levels, warmer river temperatures, accelerating pollution impacts, and ocean acidification. Climate change threatens the health of the communities and natural resources of Puget Sound and the Columbia River alike—harming shellfish, salmon and wildlife; risking massive spills, increasing floods, droughts, fires, landslides and other natural disasters; and degrading air quality. In a stark reminder of the risks associated with a changing climate, Columbia River Gorge communities have been acutely impacted by intense forest fires this month, fires predicted to occur more frequently and ferociously in a warming climate.



*Above: Oil train travels through Columbia Gorge as massive Eagle Creek fire burns in the background.*

Without a decisive interim pause enacted, new proposals could undermine protections established in the subarea plan. Therefore, while there are a multitude of issues that merit discussion in the subarea planning process, the fossil fuel issue must be addressed immediately through a focused and complete interim pause on new and expanded fossil fuel uses.

The undersigned are profoundly concerned with the threat inherent in new and expanded fossil fuel and petrochemical facilities and infrastructure targeted at the unprotected Tacoma Tideflats. Indeed, we saw just this week three different proposals by US Oil to expand their existing facility – a jarring development for those in the Columbia Gorge whose homes were imperiled by U.S. Oil’s June 3, 2016 train derailment in Mosier. These expansions could put the public, our waterways, our homes, the Columbia River Gorge and the future of the Tideflats at risk. This is a real, urgent issue and one that needs to be addressed in an expeditious and focused

way. These interim regulations should press “pause” on fossil fuel projects during the subarea planning process.

On behalf of our organizations and the hundreds of Gorge residents whose lives were impacted by U.S. Oil’s last oil train derailment, we urge the Tacoma Planning Commission to put forward strong interim regulations as soon as possible.

Sincerely,

Dan Serres  
Conservation Director, Columbia Riverkeeper

Regna Merritt  
Healthy Climate Director, Oregon Physicians for Social Responsibility

Michael Lang  
Conservation Director, Friends of the Columbia Gorge

Mia Reback  
Lead Organizer, 350 PDX

Nick Caleb  
Staff Attorney, Center for Sustainable Economy



September 15, 2017

Planning Commission  
Tacoma Municipal Building  
747 Market Street, Room 345  
Tacoma, WA 98402

Sent via email: [planning@cityoftacoma.org](mailto:planning@cityoftacoma.org)

**RE: Comments on Tideflats Interim Regulations**

On behalf of the American Chemistry Council (ACC), I am writing to comment on the proposed Tideflats Interim Regulations, which would establish concerning restrictions on Tacoma businesses and threaten key industries. We are particularly concerned with the proposal to impose heavy industrial special use restrictions.

ACC represents companies engaged in the business of chemistry—an innovative, \$812 billion enterprise that is helping solve the biggest challenges facing our nation and the world. The business of chemistry drives innovations that enable a more sustainable future, creates nearly 800,000 manufacturing and high-tech jobs—plus nearly seven million related jobs—that support families and communities, and enhances safety through the products of chemistry and investment in research. In the State of Washington, the business of chemistry provides 6,586 direct jobs and 3,540 related jobs, generating approximately \$15 million in state and local taxes.

The economic importance of the Tideflats area reaches beyond its location in the City of Tacoma. The Port of Tacoma is an economic engine for the entire region with businesses statewide relying on the current infrastructure to ship and receive freight. Additionally, the federal government relies on this infrastructure to support JBLM. Imposing restrictions on this vital region would have negative implications at the local, state, and national level.

The proposed regulations threaten to impact existing industries and prevent future economic growth by restricting all current and future businesses that would be categorized as 'high risk/high impact industrial uses'. There is no scientific basis nor quantifiable method to the proposed categorization of industrial uses making this category arbitrary and ill conceived. The facilities that would fall within this designated category would then be limited or altogether prohibited from conducting operations.

ACC and its member companies are dedicated to safeguarding our employees, our contractors and the people who live and work around our operations. This commitment is demonstrated through ACC's Responsible Care® program and our industry's performance to continually enhance safety and security. More information about the program can be found here: <https://responsiblecare.americanchemistry.com/>

Additionally, there are numerous environmental protection laws already in place in Washington that strictly govern businesses operating in the state. Legal and safe business activities operate within these established parameters and companies embrace a strong environmental ethic and commitment to the safety of their employees and to the communities they operate in.

Thank you for the opportunity to comment. If you have any questions or comments, please do not hesitate to contact me at 916-448-2581 or [tim\\_shestek@americanchemistry.com](mailto:tim_shestek@americanchemistry.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Shestek", with a long horizontal flourish extending to the right.

Tim Shestek  
Senior Director, State Affairs



## Wung, Lihuang

---

**From:** Jeff Silverman <jeff@nthdegreecreative.com>  
**Sent:** Thursday, September 14, 2017 8:24 PM  
**To:** Atkinson, Stephen  
**Subject:** Tideflats Interim Regulations

Hello Steve.

I am glad we had a few moments to speak together last night at the Public Hearing. As I mentioned I am an owner of a property in the area along Marine View Drive that would be adversely affected by the proposed "moratorium", specifically on non-industrial uses as well as residential. Our property is located at 4409 Marine View Drive and we are in negotiation with a developer to take the parcel over from our group. The interim regulation as proposed will lead to a dissolution of the intended relationship, with ultimate goal to build smart eco-friendly small footprint view homes on the slope above.

What is mitigating in our case is the expenditure of over 600,000.00 on studies to fund environmental science research, an audubon study, a geo-tech study by a civil engineer and a walk around survey to better understand the true 3-D character of the slope. Those same studies led to my own investment in the property. In the process we have learned the slope is viable for development, within the reasonable contemporary limitations as established for limiting vegetation removal, as well as slope stabilization. The exhaustive environmental science study by Robinson Noble and Saltbush resulted in a FONSI, findings of non significance and establishing that for this virgin property there are no identifiable mitigating circumstances.

As a result we are very concerned about the direction of the Interim Regulations which as written were far broader than perhaps needed to address the publics' principal concern at this time, the heavy polluting and high risk industries within the port. As of now the Interim Regulations include language that would prohibit our venture, despite the aforementioned efforts determining that the property does meet development criteria. As you will understand this puts us in a difficult situation.

I believe we should have a seat at the table in order to state our case and protect our interests and perhaps of others who have not yet come forward.

I will gladly make time to continue this dialog. Please share our concerns and advise when we might meet and discuss further.

Sincerely,

*Jeff Silverman*  
*Managing Director, LD*  
*Nth Degree Creative LLC*  
*525 Puyallup Ave*  
*Tacoma, WA 98421*  
*mobile 425-879-6762*  
[www.nthdegreecreative.com](http://www.nthdegreecreative.com)  
[www.facebook.com/nthdegreecreativellc](http://www.facebook.com/nthdegreecreativellc)

9/14/2017

Nicholas J. & Jacqueline A. Stagliano  
2736 53<sup>rd</sup> Ave. NE  
Tacoma, WA 98422

Planning Commission  
747 Market Street, Rm 345  
Tacoma, WA 98402

Re: Tideflat Interim Regulations – Category 3: Marine View Drive Residential Development Restrictions

Dear members of Tacoma Planning Commission:

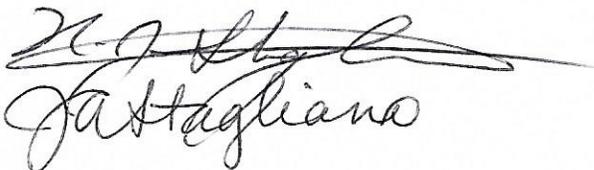
We are writing to object to the current proposed boundaries shown in the Marine View Drive Residential Restrictions Areas of Applicability. The proposed boundary (enclosures 1 & 2) appears to encompass our entire private developed parcel on 53<sup>rd</sup> Avenue NE (#0321265009), which seems inconsistent with how the boundary is drawn in other parts of the Northeast Tacoma neighborhood.

We believe the boundary should be moved to the north along the right-of-way between City of Tacoma – TPU parcel # 5715000280 and vacant parcel # 0321265005 (enclosure 3). At a minimum, we desire the boundary to be moved north between our developed parcel and the vacant parcel #0321265005 (enclosure 4).

In general, we do not want our property wholly included in the proposed restriction area. If our property cannot be excluded from the proposed Area of Applicability, we would like an explanation and the justification for its inclusion in the current proposed area of applicability.

Thank you for your time and attention to our request.

Sincerely,



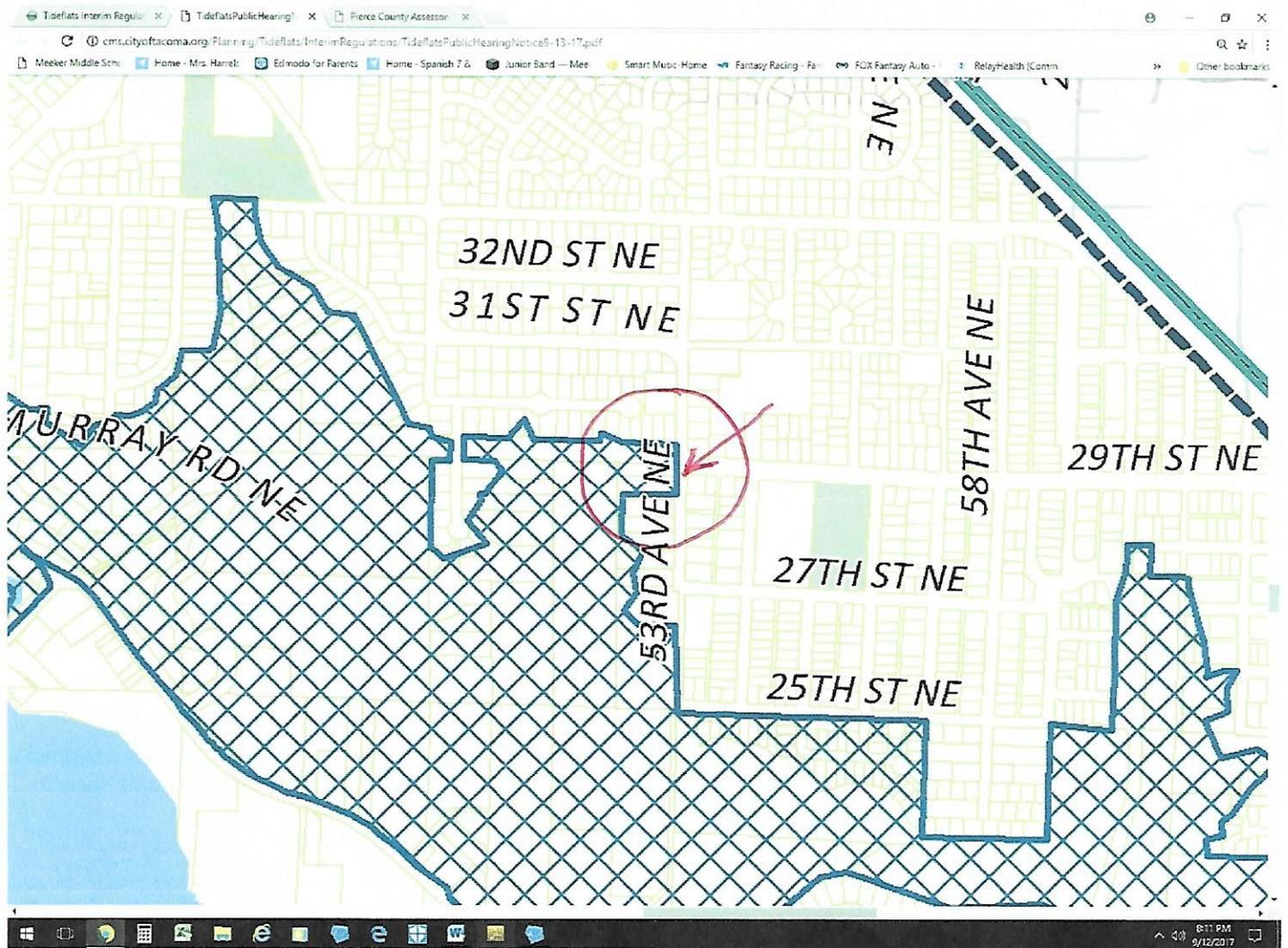
Nicholas J. Stagliano

Jacqueline A. Stagliano

(253) 927-5959

Enclosures 1-4

## Marine View Drive Residential Restrictions: Area of Applicability – Map 2



Enclosure (1)

# Current Residential Restriction Boundary Area of Applicability

**Property Details**

Parcel Number:	0321265009
Site Address:	2736 53RD AV NE
Account Type:	Real Property
Category:	Land and Improvements
Use Code:	1101-SINGLE FAMILY DWELLING

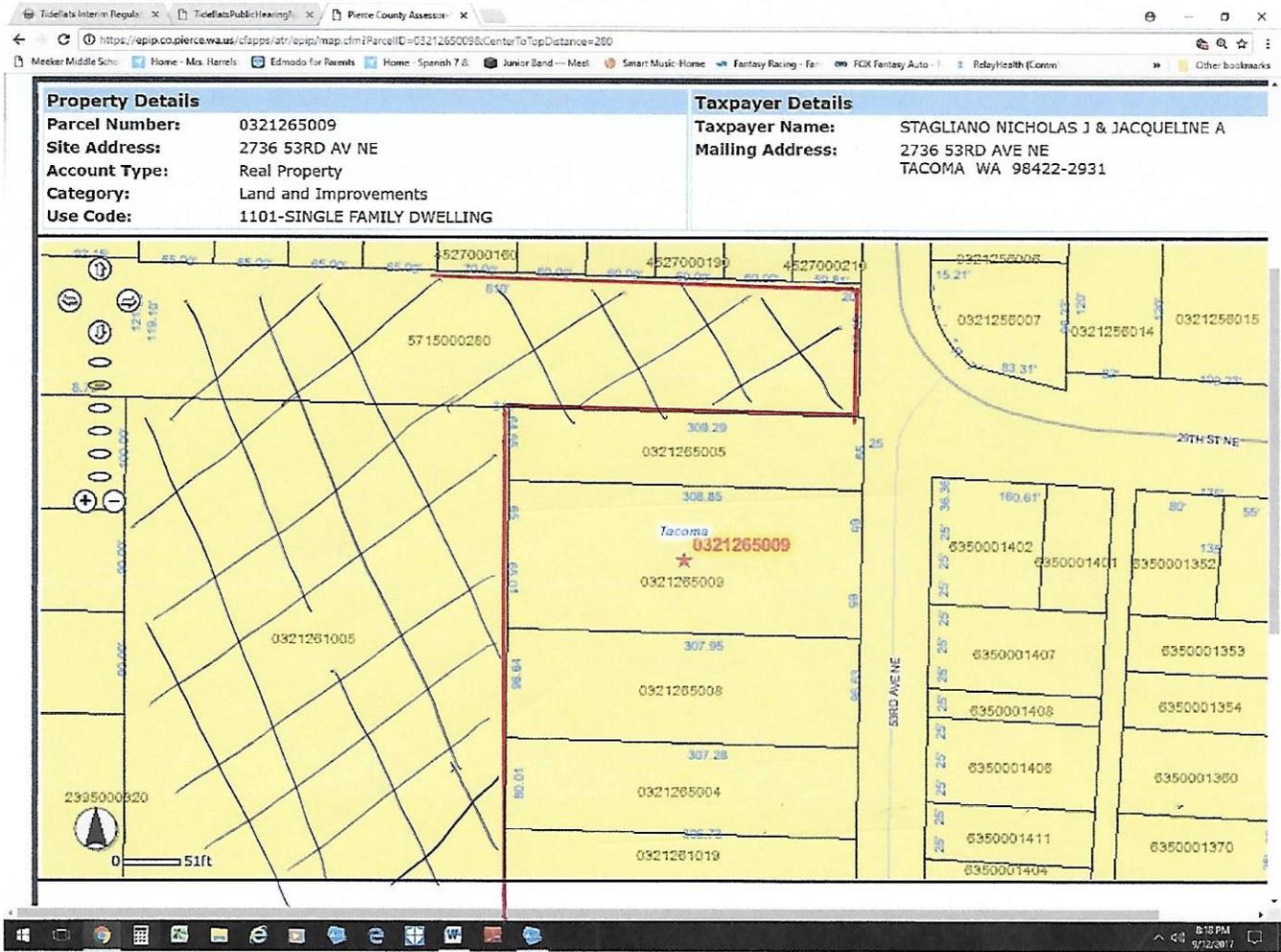
**Taxpayer Details**

Taxpayer Name:	STAGLIANO NICHOLAS J & JACQUELINE A
Mailing Address:	2736 53RD AVE NE TACOMA WA 98422-2931

The map displays a grid of parcels with various parcel numbers. Parcel 0321265009 is highlighted with a red border and a red circle. Other visible parcel numbers include 0321265005, 0321265008, 0321265004, 0321265019, 0321265007, 0321265014, 0321265015, 0350001402, 0350001407, 0350001408, 0350001406, 0350001411, 0350001404, 0350001352, 0350001353, 0350001354, 0350001350, and 0350001370. The map also shows 53RD AVENUE and 27TH ST NE. A scale bar indicates 51ft. The word 'Tacoma' is visible on the map.

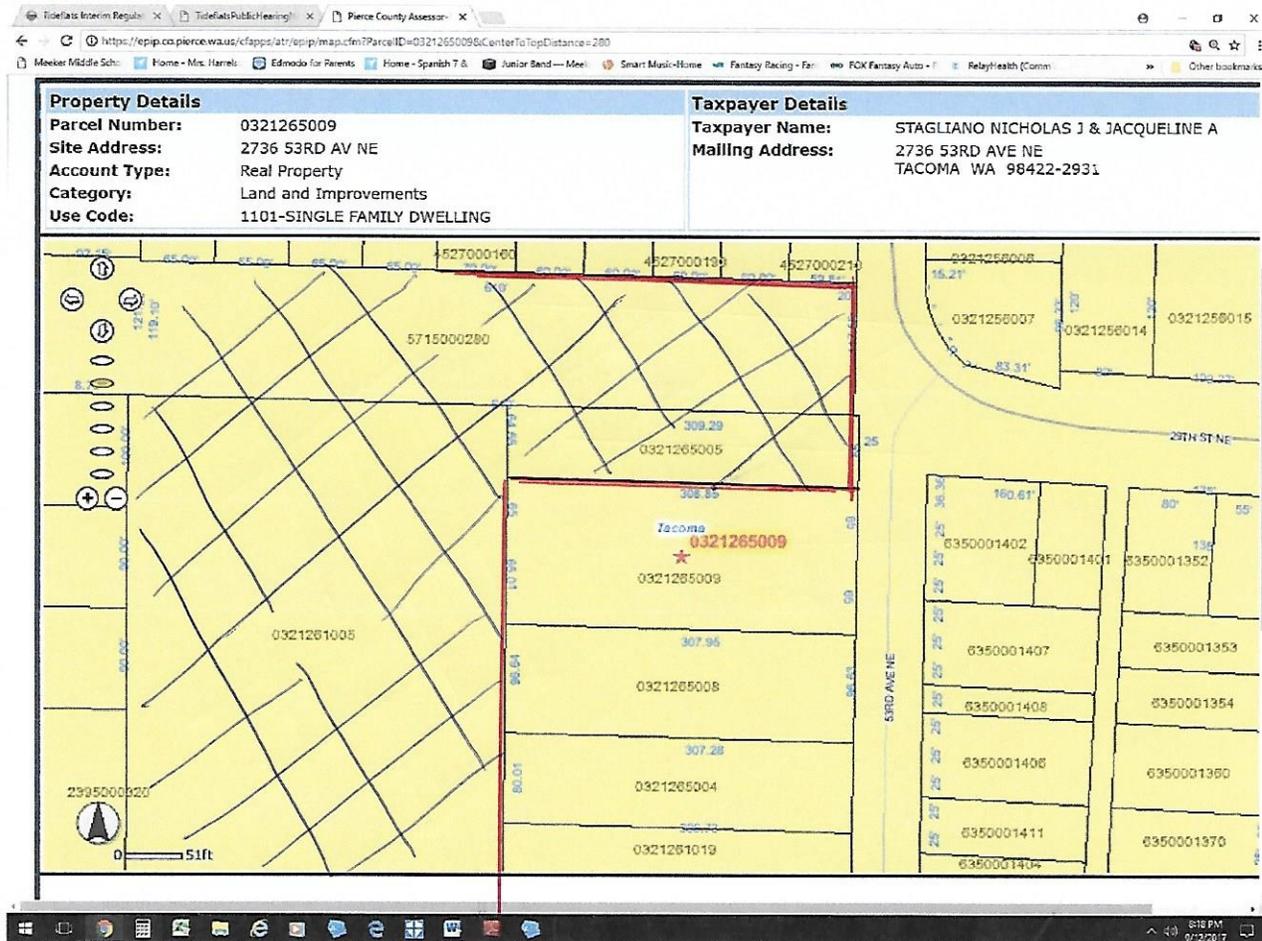
Enclosure (2)

**Preferred (Recommended) Residential Restriction Boundary Area of Applicability**



Enclosure (3)

## Alternate Preferred Residential Restriction Boundary Area of Applicability



Enclosure (4)

## Wung, Lihuang

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**From:** Bradley Thompson <bradleythomp@gmail.com>  
**Sent:** Friday, September 15, 2017 4:34 PM  
**To:** Planning  
**Subject:** Interim Regulations

September 15, 2017

Dear Planning Commissioners,

I support your work to develop Interim Regulations for the Port of Tacoma in preparation for the subarea planning process. It's time for Tacoma to look beyond polluting, climate-killing fossil fuels and become a leader in the green economy. Studies show that green jobs are outpacing the rest of the U.S. economy in growth and job creation. We need a port that works for all of us, and yet this isn't a choice between jobs and our environment. We can have both if we plan accordingly and have the resolve to carry out that vision.

I submit the following recommendations to the draft Interim Regulations:

- 1) I support a pause on both new AND expanded fossil fuel/petrochemical projects at the port. As we've seen just this week with U.S. Oil, currently existing projects will seek permits to expand before the subarea planning takes place. This has the potential to make the subarea planning process more contentious, complicated, and difficult.
- 2) Move the Interim Regulations as quickly as possible to the City Council. The longer this process is delayed, the more time we give for projects to be proposed in an attempt to get in before the door is closed. Again, this has the potential to disrupt the subarea planning process.
- 3) I understand that the planning commission attempted to create a strategically balanced approach - looking at heavy industrial and non-industrial uses, and residential development - but I support Interim Regulations that specifically pause high impact heavy industrial uses such as fossil fuel and petrochemical facilities in the Port of Tacoma. That's really at the heart of what we are talking about. I fear that the more complex the Interim Regulations and the more stakeholders in play the less likely the Interim Regulations will be to survive intact.
- 4) The definition of "terminal" should include rail.
- 5) Please do whatever is necessary to stop NW Detention Center and Tacoma Residential Reentry Center from expanding, and stop any new facilities like this from ever being built on the Tideflats. The toxic, industrial, earthquake-vulnerable Port of Tacoma is not a safe living environment for people, especially detained individuals who have no say in the matter. My belief is that this is a violation of basic human rights, and it is appalling and shameful to me that it is allowed in our city.

Thank you for considering my comments and thank you for your work.

Sincerely,

Bradley Thompson  
2314 S Ainsworth Ave  
Tacoma, WA 98405

## **Wung, Lihuang**

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**From:** John Thurlow <johnthurlow@harbornet.com>  
**Sent:** Friday, September 15, 2017 4:26 PM  
**To:** Planning; Atkinson, Stephen  
**Cc:** Wung, Lihuang; Thoms, Robert; Walker Lee, Lauren; Mello, Ryan; McCarthy, Conor; Strickland, Marilyn  
**Subject:** Comments in support of the August 15, 2017 proposed Tideflats Interim Regulations

To the Tacoma Planning Commission and the Planning and Development Services Dept.:

I am writing to you as a 15-year Northeast Tacoma resident, who is invested in the health and safety of Tacoma residents and Tacoma's economic well-being. I have served on the Northeast Tacoma Neighborhood Council's board for nine years and have served as its chair and co-chair. Taking a broad view of life in Tacoma, I volunteer on a city-wide commission and for the League of Women Voters of Tacoma-Pierce County.

I support the proposed Tideflats Interim Regulations (August 15, 2017) as a sensible compromise to address the most serious concerns over managing the regionally-designated Tideflats Manufacturing/Industrial Center. The proposal accomplishes:

1. halting the introduction of certain, generally-agreed, undesirable heavy industrial uses in Tacoma
2. halting non-industrial uses of limited, economically-vital industrial/maritime land resources
3. and halting residential encroachment on this long-established Manufacturing/Industrial Center while allowing existing businesses to adapt and adjust to changing market conditions, subject to normal permitting and regulatory processes.

I urge the Planning Commission to approve the proposal and forward it with its strongest endorsement to the City Council for action.

Please let me know if you have any questions.

John Thurlow  
253.219.1617

cc: Mayor Marilyn Strickland  
City Councilmembers: Robert Thoms, Lauren Walker Lee, Conor McCarthy, Ryan Mello

September 13, 2017

Chris Beale, Chair  
Stephen Wamback, Vice-Chair  
Members of the Planning Commission  
Tacoma Municipal Building  
747 Market Street, Room 345  
Tacoma WA 98402

**RE: Tideflats Interim Regulations – No need for a “pause”**

Dear Mr. Beale and members of the Planning Commission:

TrueBlue is a \$2.6 billion, publicly traded staffing company with operations across the United States, Canada, Europe, and Australia. Headquartered in Tacoma for over two decades, TrueBlue chooses to remain here because of its vibrant and thus far, balanced approach to economic prosperity, social equity, and environmental stewardship. This balance is good for not only our employees and customers, but for all business in Pierce County.

The Port generates jobs and prosperity for the Tacoma region. As members of this community, TrueBlue believes the city needs to continue to be a place of opportunity even as global and business dynamics evolve. Lumping existing businesses into a category called “high risk/high impact industrial uses,” could undermine the balanced approach to creation and retention of jobs in Tacoma and create a chilling effect on business development and growth in the Port.

Washington State voters and elected leaders have adopted state laws that reflect the environmental values of Washingtonians. Our regulations are among the strictest in the country, and as a result our state ranks #4 for most eco-friendly in the nation. The City of Tacoma enforces sufficient regulations and ordinances are in place to allow for enhanced review of new projects. It is incumbent upon the City to ensure that the existing laws have been applied fully and equally before putting in place any new regulations, interim or not.

We will make more progress as a region when we work together to balance our shared interest in economic, social, and environmental wellbeing.

I respectfully urge the Planning Commission to reject the interim recommendations and ensure that the Tideflats Sub-area Plan is supported by quality research, public involvement, and economic realities.

Sincerely,



TrueBlue, Inc.

Cc: Mayor Marilyn Strickland and City Councilmembers  
Elizabeth Pauli, City Manager  
Steve Atkinson, Planning Services Division, and Planning Commission members



## Wung, Lihuang

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**From:** Eddy Ury <eddyu@re-sources.org>  
**Sent:** Friday, September 15, 2017 5:00 PM  
**To:** Planning  
**Subject:** Tideflats Interim Regulations

Good afternoon to whom it may concern at the City of Tacoma Council, Planning Commission and staff,

I'm writing to express support for the Interim Industrial Use Restrictions (13.06.580) for Tacoma Tideflats. My organization, RE Sources for Sustainable Communities works to protect the health of people and eco-systems in Northwest Washington.

Last year, Whatcom County Council adopted an ordinance imposing an [interim moratorium](#) on permits for new or expanded facilities in the Cherry Point Urban Growth Area (Whatcom's Heavy Impact Industrial Zone, home to the Phillips66 Ferndale and BP Cherry Point Refineries) that would facilitate increased shipment of unrefined fossil fuels, if not for consumption or processing at Cherry Point facilities. The moratorium has been extended twice and we expect it to be approved again for an additional six months on September 26th.

Whatcom County has a commissioned a legal study from Cascadia Law PLLC to develop recommendations on what tools a municipal government may use to limit the negative impacts to public health and safety, transportation, the economy, and environment that our communities face from prospective projects to export crude oil, coal, LPG and LNG through the Salish Sea. New policy and code changes may be considered after the completion of this study by the end of 2017, and we hope the results will be informative to the City of Tacoma and other municipalities facing similar threats.

We are glad to see that a similar process is underway in Tacoma, grappling with and balancing the unique needs of an oil refinery and marine terminals with market pressures that may lead to new uses and infrastructure for unrefined fossil fuel exports which undermine job security at value-added processing industries such as our refineries.

Rarely do we find an area of policy where we can protect the environment, local economy, and human health all at once. We hope to see permanent policies developed in the sub-area planning process that prevent destructive plans to export crude oil, coal, or gas through Tacoma. Know that Whatcom County and Skagit County, and local and tribal governments around the Salish Sea are addressing the same issues with urgency.

Best Regards,

--

**Eddy Ury**

Clean Energy Program Manager  
RE Sources for Sustainable Communities  
Office: (360) 733-8307 ext. 215  
Mobile: (206) 972-2001  
[re-sources.org](http://re-sources.org) | [Facebook](#) | [Blog](#) | [E-News](#)

## Wung, Lihuang

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**From:** Amber Walsh <amberlovespenny@gmail.com>  
**Sent:** Friday, September 15, 2017 2:52 PM  
**To:** Planning

To whom it may concern, My name is Amber Walsh and i strongly oppose having an LNG holding plant on the tide flats. I am 37 years old and have lived in tacoma my whole life i remember what tacoma used to smell and look like and with as much progress that has been taken to clean our waters why are we degressing? Is it because we are a port to freight and it is cheaper for these companies to be at our port? Why not be the leader in solar power? Also i can see the port of tacoma from by back yard when that plant blows because it is not a matter of if it is when are the people that live in this area just collateral damage? If you love this city Tacoma, the glorious waters and our amazing sea life you will reconsider what you are doing to our childrens future it is their waters not ours we only borrow from future generations we need to make it better not worse.

Thank you for your time

Amber wlash

## **Wung, Lihuang**

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**From:** Twylia Westling <twestlingmpa@gmail.com>  
**Sent:** Thursday, September 14, 2017 10:08 PM  
**To:** Planning

I am writing to voice my support for interim regulations to limit fossil fuel industry expansion in Tacoma at the Port of Tacoma.

First and foremost, the Port of Tacoma repeatedly refuses to acknowledge the Puyallup as a sovereign nation, whose future is constantly at risk because of the decisions made by Port of Tacoma. This is a most egregious wrong on behalf of the Port and it is a continuance of the colonialist genocide that has been perpetrated against Indigenous people since contact. I have zero confidence in the Port, as a quasi-governmental agency, to adhere to the Commerce Clause (Article 1, Section 8, Clause 3) of the U.S. Constitution. They surely do not recognize or honor Article VI, Clause 2, of the Constitution, which sets up the Supremacy of treaties made with the Sovereign Nations, such as the Puyallup. They, the Port, does not care enough to honor these clauses, they will not be trustworthy to honor other laws.

Speaking of laws, currently, PSE is moving forward with construction of the fracked gas (LNG) plant at the port. They do not have permits to do so. They do not care. They do not honor the social contracts put in place, such as requiring public engagement and environmental studies. They will never care to honor those social contracts. They want us to believe that they are trustworthy "corporate citizens", yet they flaunt the bypassing of laws and the suppression and oppression of public opinion at every turn. This is proof enough that they will NEVER act for the safety and health of the public nor the environment. Their segmented permits are also proof of their desire to choose profit and poorly laid plans over wisdom, safety and health. PSE is only one example of the ways that the fossil fuel industry has behaved for well over 40 years. The research shows that they poison and pollute with impunity, complain about ANY regulatory framework, or manipulate or laws in order to achieve their ends. At a dear cost to us and future generations.

We, the community, have a lot of work ahead of us to reverse the impacts that industry have left behind in their wake. Please, let us have the moratorium on expansion or new fossil fuel projects. Let us have time to figure out what the best way to move Tacoma forward is, without selling our souls, and environmental/health safety of future generations, to these "corporate citizens" who have exhibited irresponsible behavior over and over.

We can have a thriving economy and good energy choices. We don't have to be beholden to the whims of corporate schemers who have historically poisoned our legacy for generations to come, with

no repercussions or consequences. Let us take the time to think about things that are important and find a way to a healthy sustainable future.

Please expedite the implementation of this moratorium.

Miigwech and Moran Taing

Twylia Westling

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Twylia Westling, MPA

The 'i' is silent; I'm not.

<http://twestlingmpa.com>

September 13, 2017

Chris Beale, Chair  
Stephen Wamback, Vice-Chair  
Members of the Planning Commission  
Tacoma Municipal Building  
747 Market Street, Room 345  
Tacoma WA 98402

RE: Tideflats Interim Regulations – No need for a “pause”

Dear Mr. Beale and Members of the Planning Commission:

As a member of the Economic Development Board for Tacoma-Pierce County, I know firsthand that our region’s economic development teams place equal emphasis on economic prosperity, social equity, and environmental stewardship in our recruitment and retention efforts. Local companies like mine embrace a strong environmental ethic not just because we are required to by law, but because we know it is good for our employees, customers, and the bottom-line.

The proposed interim regulations that would have the City of Tacoma arbitrarily lump existing and potential businesses into a category called “high risk/high impact industrial uses,” will undermine the balanced approach to the creation and retention of jobs in Tacoma. They will create a chilling effect on not only the manufacturing sector, but on other industries that are already wondering which among them is next to be targeted by the City’s increasingly volatile regulatory climate.

Washington State voters and elected leaders have adopted state laws that reflect the environmental values of Washingtonians. Our regulations are among the strictest in the country, and as a result our state is ranked #4 for most eco-friendly. Legal and appropriate business activities operate within these strict parameters. The City of Tacoma has sufficient regulations and ordinances in place to allow for enhanced review of new projects. It is incumbent upon the City to ensure that the existing laws have been applied fully and equally before putting in place any new regulations, interim or not.

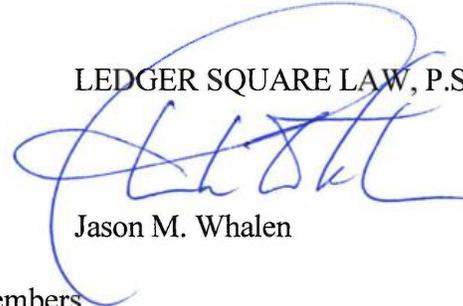
We will make more progress as a region not when we listen to extremists but when we work together to balance our shared interested in our economic, social, and environmental wellbeing.

September 13, 2017

Page 2

The proposed interim regulations are unnecessary, arbitrary, and unsupported by facts. I respectfully urge the Planning Commission to reject these recommendations and to ensure that the Tideflats Sub-Area Plan is supported by quality research, public involvement, and economic realities.

LEDGER SQUARE LAW, P.S.



Jason M. Whalen

cc: Mayor Marilyn Strickland and City Councilmembers  
Elizabeth Pauli, City Manager  
Steve Atkinson, Planning Services Division, and Planning Commission members

## Wung, Lihuang

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**From:** Jay Wilkinson <jay\_wilkinson@hotmail.com>  
**Sent:** Friday, September 15, 2017 12:34 PM  
**To:** Planning  
**Subject:** Comment on draft Tideflats Interim Regulations

Greetings,

I am a resident of Tacoma and would like to provide comment on the draft Tideflats Interim Regulations. I think all the proposals being considered are necessary. I would support expanded notification for heavy industrial uses, prohibition of certain non-industrial uses, prohibition on new residential development along Marine View Drive, and prohibition on establishing certain new heavy industrial uses. Specifically, I believe the City of Tacoma and Port of Tacoma should focus on electricity based industrial uses instead of petroleum based industrial uses. Volvo is going all electric, VW is going to have an electric version of all models by 2030. France is banning the sale of petroleum based vehicles after 2040. It is obvious the world is moving away from petroleum and towards electricity. I think Tacoma needs to recognize this trend when determining the best use of the Tideflats. Focusing on petroleum based uses may bring a short term profit in the next five to ten years, but set us up for failure in the long run. Tacoma is a nice place to live because of the natural beauty of the area and maintaining this quality of life for all the residents of the city should be our top priority. Thank you.

Sincerely,

Jay Wilkinson  
812 N Oakes St  
Tacoma, WA 98406  
(206) 218-4502

## Wung, Lihuang

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**From:** John Wolfe <jwolfe@tacomascrew.com>  
**Sent:** Friday, September 15, 2017 2:10 PM  
**To:** Planning; Strickland, Marilyn; City Manager; Blocker, Keith; Campbell, Marty; Ibsen, Anders; Lonergan, Joe; McCarthy, Conor; Mello, Ryan; Thoms, Robert; Walker Lee, Lauren; Boudet, Brian; Wung, Lihuang  
**Subject:** Proposed Interim Regulations and Ban on Industrial Uses

As a long term resident and home owner in Tacoma, and as a business person involved with numerous businesses in the area, I strongly urge you to listen to balanced voices and not simply respond to the loudest and most extreme opinions. We all are rightly concerned regarding the longer term environment and living conditions within Tacoma. We can preserve our exceptional living environment and still experience an environment that provides jobs that allow us to live here without financial stress. In our decisions affecting the future, we need to rely on informed and scientifically sound evidence not on false information driven by unfounded fears. The current processes that are in place are sufficient to assure informed and scientifically based assessments of the factors leading to balanced decisions. I strongly urge you to not adopt regulations that are a knee-jerk response to the voices of those whose limited perspective is expressed in the loudest voice.

Thank you,  
John Wolfe Jr.

## Wung, Lihuang

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**From:** Laura Woodruff <laurawoodruff424@gmail.com>  
**Sent:** Friday, September 15, 2017 1:02 PM  
**To:** Planning  
**Subject:** Interim Regulations

[planning@cityoftacoma.org](mailto:planning@cityoftacoma.org)

DATE: September 15, 2017  
TO: Tacoma Planning Commission

RE: Interim Regulations

Attention Planning Commission:

Tacoma needs to make major decisions now to establish what its future will look like. I am encouraged the City and Port of Tacoma are taking the necessary action of creating and implementing a Subarea Plan to restrict the type of industry allowed to operate in our community. The quicker that the plan can be finalized, the better. In the meantime, I support passing strong interim regulations.

As an elected officials, it is your moral obligation to act. Mayor Strickland, as a representative of the City of Tacoma, has publicly vowed to adopt, honor, and uphold Paris Climate goals. The primary goals are to reduce greenhouse gas emissions, support renewable energy, and help countries get off fossil fuels. By signing this agreement, you are all morally obligated to examine the cumulative green house effects of any new industry in the city. For this reason alone a moratorium on new industry should be in affect.

I implore you to pass a moratorium on all new fossil fuel/petrochemical infrastructure and industry. In addition, the expansion of existing fossil fuel/petrochemical infrastructure and industry must be prevented and non-polluting businesses should be both allowed and encouraged. It is comical and counter-intuitive that the proposed subarea plan prohibits the expansion of existing non-industrial uses in the Port/Tideflats. Without theses guarantees, it seems as though the City and Port are simply paying lip service to the community while actually allowing oil and gas to expand while prohibiting expansion of non-industrial use!

Finally, throughout this process, it is imperative that the Puyallup Tribe be consulted and respected. They should be at the table as an equal decision-maker and partner.

Polluting industry may not want additional, meaningful regulations to be put in place, but the residents of Tacoma do. Tacoma has a sorted and polluted past, but this toxic legacy doesn't have to spell out Tacoma's future too.

Do the right thing for our community, the people whom you represent, and for the future livability of this planet.

Thank you for your time and consideration.

Laura Woodruff  
Cell: 206-929-9045

## Wung, Lihuang

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**From:** Chris Wooten <ChrisWooten@earthlink.net>  
**Sent:** Friday, September 15, 2017 2:52 PM  
**To:** Atkinson, Stephen  
**Cc:** Ibsen, Anders; Blocker, Keith; Thoms, Robert; Campbell, Marty; Lonergan, Joe; Walker Lee, Lauren; McCarthy, Conor; Mello, Ryan  
**Subject:** Comments to add: Interim regulations for Tacoma tideflats

To the Planning Commission and City Council Members

I was not able to attend the comment meeting Wednesday evening at the Convention Center but still would like to add my voice on the interim regulations that are being determined and recommended to the City Council.

My family and I have been residents of Browns Point for 37 years. As boaters, fishers and workers in the tideflats, over the years we have seen so much industrial pollution and disregard for the natural resources and the spoiling of this unique environment. It has been very distressing.

Now however, we are finally seeing more efforts to change that trend, albeit very slowly. It is gratifying to notice that the water is getting cleaner, the industries are less polluting and it's making this area more of a place to be proud of, rather than always apologizing about "Tacoma's industrial wasteland."

I am however highly concerned about the fossil fuel industry's current emphasis on expanding current facilities (Targa, US Oil, etc) and developing new fossil fuel projects. This will take us backwards in the City's development and be a blow to the environment that many people have worked very hard to improve.

It's great that the City will be developing a new sub area plan for the Port area, but that will take a very long time and we need protections NOW!!

Please move interim regulations to the City Council very quickly. Please insist that a "stop" be put on all fossil fuel expansions and new fossil fuel projects, including rail and shipping, so that all parties can be included in the sub area discussions, and well-thought-out, quality decisions can be made going forward.

Thank you for working towards an approach that balances all interests to protect the tideflats and Tacoma's citizens.

Best Regards,  
Chris Wooten

Chris Wooten, SPHR, SHRM-SCP  
CWC Consulting  
253-905-2176  
[chriswooten@earthlink.net](mailto:chriswooten@earthlink.net)

## **Wung, Lihuang**

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**From:** Leda Zakarison <leda@earthministry.org>  
**Sent:** Thursday, September 14, 2017 7:44 PM  
**To:** Planning  
**Subject:** Please Approve Interim Regulations on the Tacoma Tideflats

Dear City of Tacoma,

My name is Leda Zakarison and I represent Earth Ministry and Washington Interfaith Power and Light, a statewide organization that engages people of faith on environmental issue. I have also lived in Washington state my entire life. I grew up in eastern Washington (Pullman), and I know the land well. I also know what it feels like to have trains coming through my town on a regular basis, disrupting our way of life. While all trains are disruptive, this is doubly true for trains carrying dangerous and volatile substances. A derailment or explosion of one of these trains would be a tragedy that would hurt the entire community.

Growing up part of a farming family in eastern Washington, my faith was also an integral part of my upbringing and caring for God's creation is central to that faith. Creation sustains us physically, emotionally, and spiritually and we are meant to be stewards of the Earth, not to abuse or destroy it for our own selfish purposes. People of faith value responsibility, integrity, and justice for all, as well as stewardship, and we want to keep our waterways clean and neighborhoods safe for generations to come.

Investing in fossil fuels does not align with these values. It's neither safe nor wise to increase the amount of crude oil or fracked gas moving through our region. That's why we need to put a pause on new and expanded fossil fuel projects until the subarea planning process is complete. I would like to emphasize the importance of preventing expansion of current fossil fuel infrastructure because it is not included in the draft regulation. These changes are crucial and will strengthen the level of protection provided by this regulation.

Thank you considering our input, and for taking the first steps toward a safer, healthier Tacoma by working on this interim regulation.

Sincerely,  
Leda Zakarison

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**Leda Zakarison**

Outreach Coordinator

Earth Ministry/Washington Interfaith Power & Light

Preferred pronouns: she/her/hers

Phone: (206) 632-2426 | Web: [www.earthministry.org](http://www.earthministry.org)

Office: 6512 23rd Ave. NW | Suite 317 | Seattle, WA 98117