March 4, 2011

Mayor Marilyn Strickland
and Members of the Tacoma City Council
747 Market Street, Suite 1200
Tacoma, WA 98402

Dear Mayor Strickland and Members of the City Council:

During the course of review and comment for the preliminary draft Shoreline Master Program (SMP) update, both the Tacoma-Pierce County Chamber of Commerce (Chamber) and Citizens for a Healthy Bay (CHB) provided public comment on both the content of the draft document and concepts introduced by the City for inclusion and implementation.

The Chamber submitted a "tracked-changes/redline" version of the preliminary draft with a transmittal letter broadly highlighting concerns. CHB submitted a letter electronically, responding to the concerns within the Chamber’s transmittal letter. Subsequently the Chamber and CHB agreed to meet to discuss and clarify positions with each other.

The Chamber and CHB found grounds for both agreement and issues that warranted further discussion. Both agree that the Planning Commission has worked hard through an extensive public involvement process to elicit opinions and approval from a broad range of public and private interests. We praise the participation of City Council members through their involvement in both the Economic Development and Environment & Public Works Committees. The SMP update commands a degree of very careful consideration and the involvement of elected City officials reflects the importance of the decisions to be made.

We also agree, however, that there is some frustration with the process among many involved participants, especially involving a lack of organized acknowledgement or response to comments. We wonder if we are being heard.

Both CHB and the Chamber have long-standing histories of involvement in City civics and both maintain a guiding philosophy of considered balance in the needs of the local citizenry, economy and environment. The nature of our organizations is such that we will not agree on all points, but agree on the principles of common sense, economic sustainability and resource stewardship to guide policy decisions and implementation within the environs of Commencement Bay and the waters of Puget Sound. Some elements introduced in the preliminary draft SMP appear to run counter to these principles and we chose to present select comments jointly.

There are three basic policy areas within the Shoreline Management Act: shoreline use, environmental protection and public access. The Act emphasizes accommodation of appropriate uses that require a shoreline location, protection of shoreline environmental resources and protection of the public’s right to access and use of the shorelines (RCW 90.58.020).
Shoreline Use
As the shorelines of Washington State developed, landforms and access to water were predominant drivers of eventual land use patterns. Natural and deep water became moorage and Ports, floodplains became agriculture land and homesteads, and the mouths of rivers became industrial and transportation terminals that produced and moved goods in the developing economy. The Shoreline Management Act provides the opportunity for cities to preserve areas for appropriate water dependent, water-related use and industry, while setting a course for shoreline restoration and avoiding conflict with incompatible uses.

The previous SMP development process identified areas that can be designated as distinct shoreline districts through application of the designation criteria within Chapter 173-26 of the WAC. We believe shoreline districts should follow both the Washington State Dept. of Ecology’s designation criteria, physical and biological characteristics of the shoreline and the goals of the entire community. The characteristics of each of Tacoma’s existing shoreline designations were established by shoreline processes and the presence of water dependent uses; they should be the preferred districts for subsequent SMP updates. Shoreline districts are not political designations; they are established to meet the purposes of accommodating appropriate uses that require a shoreline location.

Industrial facilities and railroad infrastructure in the S-7 area do not meet the designation criteria for an Urban Conservancy designation. The existing facilities and railroad right of way should remain wholly designated as High Intensity Use.

The proposed continuation of a district boundary splitting a single property, as occurs between the boundaries of the S-8 and S-10 areas is confusing, both to the City and to the property owners in determining permitted uses. This occurs in only one location. The current shoreline uses warrant including all of the S-8 industrial facilities into the S-10 shoreline area.

Ironically, the current SMP language allows a new commercial or manufacturing business to locate on the Foss peninsula and expand, while an existing identical business is not allowed to purchase land and expand its operation, even if it is deemed to be a water dependent use. If this is indeed the City’s intent, we would appreciate an explanation as to the benefits of this policy, as it appears to run contrary to stated economic development goals of job retention and fostering growth.

The current and proposed continuation of restricting only existing businesses from expanding on the Foss peninsula does not belong within a SMP. If the City desires to continue such a policy, it should be codified elsewhere.

Log Storage
The industrial tidelands of the S-10 area provide employment opportunities for the citizens of our city, from both historic and emerging industries. Commencement Bay has long been used as a terminus for forest resources and the timber industry, with raw materials arriving by waterborne transport and finished products heading to the markets on our rails and highways; as is said in Tacoma: “Where Sails Meet Rails”.

Log storage in waters of the State has been a practice within Commencement Bay during the entire course of our economic development. Yet, the practice is not without environmental effect. Accumulated debris from log storage and rafting can pose threats to the aquatic environment. Creating new log storage sites throughout the Bay could adversely impact baseline ecological conditions that were established during the Shoreline Inventory and Characterization process.

Log raft storage should be allowed at specific sites on the north side of Commencement Bay, with requirements that adequate infrastructure and maintenance will ensure that it does not pose a threat to adjacent land uses or diminish baseline environmental conditions.
Environmental Stewardship and Protection
Both CHB and the Chamber believe environmental stewardship and economic activities are not mutually exclusive. Habitat construction and restoration within Commencement Bay provides the opportunity to increase shoreline functions within and among water dependent businesses. However, there can be unintended consequences of restoration efforts to nearby developed parcels.

We believe it is a logical and appropriate policy that new restored or constructed habitat areas, and their resulting buffers, do not encroach onto adjacent property.

Public Access
Master programs must include a public access element with provisions for public access to publicly owned areas. Public access includes three factors: touching, using and viewing public shorelines of the State.

We agree that public access to public shorelines enhances the quality of life within Tacoma and fully support public access where it is appropriate, safe and necessary. However, developing public access into industrially developed property or adjacent to active rail lines realistically poses health and safety risks to the visiting public and can also create security risks for high profile businesses and industries. Worse, it diverts public access resources away from target areas in high demand to isolated projects located in sites where there is little to no demand for public access.

Public access within the S-10 area and industrial parts of the S-7 and S-8 shoreline areas does not serve the public interest or private industry; it simply isn’t safe or desirable.

Public access in the S-7 district already exists. The Bayside Trail is currently owned by the City and remains the logical location for views over Commencement Bay. The trail is aptly named and has been in use in the past as a popular shoreline trail corridor.

The City needs to reclaim this closed public trail as the most cost effective alternative for providing public access for a continuous pathway from Point Defiance to the Tacoma Dome.

The conflict between public access and active rail lines should obviate public access waterward of the BNSF right of way in both the S-7 and S-3 shoreline districts. No public access should be allowed waterward and inclusive of the railroad right of way in those segments.

This brief communiqué articulates those points that CHB and the Chamber hold in common and, as such, modifies but does not rescind CHB’s original comments dated January 15, 2011.

We recognize and appreciate the considerable undertaking this update process represents. We earnestly request your consideration of these goals and the actions we have identified to achieve them.

Sincerely,

Bill Anderson
Executive Director