



Public Comments

Meeting: Wednesday, February 3, 2021

Submittal: Written comments only; e-mailed received at planning@cityoftacoma.org by 12:00 noon, on the meeting day

Subjects: Comments are addressing the following Discussion Items on the agenda:

- 1. Home In Tacoma (HIT) Project**
- 2. Tideflats and Industrial Land Use Regulations**

No. of Comments: 14 (1 on HIT, and 13 on Tideflats)



To: Planning Commissioners
From: Felicity Devlin
Date: 1/12/20

This comment concerns the infill and medium-scale programs.

I have been impressed by the City's outreach for the infill program: the months-long timeline as well as the variety of methods used to reach residents and solicit feedback. The conclusions staff have drawn from the feedback give the impression that the City is talking *with* residents rather than *at* them. And it seems that very constructive recommendations on infill will result.

So it was all the more disturbing and disappointing to learn, from listening to recent Planning Commission meetings, that another zoning concept is also being considered: the medium-scale zoning to allow 3-4 story buildings in buffers around centers and corridors. This concept has the potential to have far greater impact on the neighborhoods involved than the low-density infill, and yet there has, as yet, been no outreach to inform residents about it. None of the public presentations have detailed the medium-scale option. None of the illustrations in the presentations have included examples of 3-4 story buildings.

However, it appears that the medium-scale concept is running on the same timeline for approval as the low-scale zoning and will be included in the public document that will be presented in mid-February. This document will be the first notice that most residents receive of the medium-scale concept.

I have many concerns and questions about this timeline:

- We are living through extremely challenging times and most of us have too much on our plates already to be paying sufficient attention to Planning Commission documents.
- How realistic is it to expect residents to become aware of this new concept in the 2-month window? To not only become aware of it, but also to fully understand the ramifications of the "less" and "most" medium-scale options, and provide comment.
- Residents have already given feedback on the infill survey and may not be alert to the fact that the public document will include a whole new proposal that they should also weigh in on.
- Most residents are not aware that they live on streets that the City has designated as "corridors" or "transit routes," and it will not be on their radar to look out for this proposal that specifically applies to their neighborhoods.
- Will postcards be sent to all those residents whose neighborhoods fall within the potential ¼ mile and ⅛ mile buffers?
- Will the public document include acceptable types of 3-4 story buildings that residents could expect to see in the buffer areas?

- How large a response to the public document will be deemed sufficient to represent the views of residents across Tacoma's neighborhoods?

The City decided that a multi-faceted, six-month outreach effort was appropriate to inform residents of the infill proposal. The medium-scale proposal is potentially far more disruptive. Shouldn't the same time and effort be expended on this proposal to ensure that residents aren't blind-sided?

Wung, Lihuang

From: ixora@harbournet.com
Sent: Wednesday, February 3, 2021 9:50 AM
To: Planning
Subject: Tideflats Interim Regs

Dear Tacoma Planning Commissioners,

As you consider staff recommendations for addressing the risks that new and expanded fossil fuel facilities in Tacoma, we urge the Commission to move forward with a proposal that centers community health, environmental justice, and the urgent need and commitment to address climate change.

We look forward to providing more detailed comments in the upcoming public comment period in anticipation of the March 3rd public hearing, but in the meantime would like to highlight key principles at this stage of the process, including:

- Strong support of the staff recommendations to prohibit new major fossil fuel facilities in the Tideflats
- Strong support for prohibition on expansions of existing facilities as well as for requirements to provide additional oversight of modifications, infrastructure replacement, and change of use activities through a conditional use permit process
- Support for allowing a potential pathway for new renewable fuel facilities, but only with a clear definition of what constitutes as “renewable” as well as appropriate oversight and evaluation of impacts including greenhouse gas impacts, local health and safety impacts, vessel traffic impacts, and endangered marine species impacts

As the Planning Commission moves forward, we also urge more attention to the following areas of concern:

- Conditional use criteria should have a strong health and environmental justice analysis that considers and centers impacts on the Puyallup Tribe and tribal resources and on communities of color and other frontline communities in Pierce County.
- Potential point re: shortcomings of basing code on storage as metric for expansion/transloading capacity
- Cumulative health impacts of polluting industry at the Tacoma Tideflats
- Restoration of salmon habitat needs to be a higher priority.

Thank you for your service and commitment to developing sound protections for Tacoma. We recognize the tension between going swiftly for robust protections from polluting high risk industries and balancing economic and industrial impacts. These proposed amendments are sound, fair, and far overdue.

Sincerely,

John Carlton



Citizens for a Healthy Bay

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Suite 213
Tacoma, WA 98402
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chb@healthybay.org
www.healthybay.org

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A tax-exempt
501(c)(3) Washington
nonprofit corporation

February 3, 2021

Tacoma City Planning Commission
747 Market Street
Council Chambers
Tacoma, WA 98402
Submitted electronically to planning@cityoftacoma.org

RE: Non-Interim Regulations for the Tideflats and South Tacoma Industrial Zone

Dear Planning Commission,

Thank you for providing the opportunity to comment on the development of permanent regulations for the Tideflats and industrial areas of South and Central Tacoma.

Citizens for a Healthy Bay (CHB) is a 30-year-old organization whose mission is to represent and engage people in the cleanup, restoration, and protection of Commencement Bay, its surrounding waters and natural habitat. We are a 501(c)3 nonprofit providing practical, solutions-based environmental leadership in south Puget Sound. We work side-by-side with residents, businesses, and government to prevent and mitigate pollution and to make our community healthier and more vibrant.

We submit this letter as a supplement to our January 13 testimony, and our December 2, 2020 and January 20, 2021 letters to Planning Commission.

We support the following draft code amendments:

- Prohibition of new high-risk fossil fuel facilities in the Tideflats.
- Prohibition of expansions of existing high-risk facilities (including new or expanded storage tanks, driveways, rail sidings, docks, piers, refining and processing equipment) as well as for requirements to provide additional oversight of modifications, infrastructure replacement, and change of use activities through a conditional use permit process.
- A potential pathway for new renewable fuel facilities, but only with strong standards for what constitutes a “renewable fuel,” as well as appropriate oversight and evaluation of impacts including greenhouse gas impacts, local health and safety impacts, vessel traffic impacts, and endangered species impacts through a conditional use permit process and strengthened criteria included within the staff proposal.

We believe the following draft code amendments need to be revisited:

- Conditional use criteria should have a strong health and environmental justice focus that centers its analysis on impacts to the Puyallup Tribe and tribal resources and on communities of color and other frontline communities in Pierce County. This should include consideration of the cumulative health impacts of polluting industries at the Tacoma Tideflats and in South Tacoma.
- Regulations of existing fossil fuel processing facilities should include a limit on

throughput volume, not just storage capacity. Regulating only storage capacity will not address the real health and safety concerns associated with more oil-laden trains and vessels coming through our towns and our waters - because each one carries a risk of a catastrophic oil spill, fire, and explosion.

Thank you for the opportunity to provide feedback on the Planning Commission's development of non-interim regulations in the Tidelands and industrial areas of South Tacoma. We are currently reviewing in full and in detail the draft code amendments, and will be providing specific, substantive comments in the coming week. If we can clarify any of our concerns or recommendations, please do not hesitate to reach out. We would be eager to work with you to find common ground on shaping the Non-Interim Regulations, so that they may actually protect our communities from high-risk industries, as they were originally intended.

Sincerely,

Handwritten signature of Melissa Malott in black ink.

Melissa Malott
Executive Director
mmalott@healthybay.org

Handwritten signature of Erin Dilworth in black ink.

Erin Dilworth
Policy & Technical Program Manager
edilworth@healthybay.org

Wung, Lihuang

From: Randy Heiberg <heiberg.randy@gmail.com>
Sent: Wednesday, February 3, 2021 3:52 PM
To: Wung, Lihuang; Atkinson, Stephen; Planning
Cc: Larry Heiberg; Chris Heiberg
Subject: Tideflats sub-area planning meeting 2/3/2020
Attachments: industrial encroachment example3.pdf; industrial encroachment example1.pdf

Dear Mr. Wung;

I apologize for getting this to you late. Possibly due to it's briefness it can still be added to this evening's agenda packet under public comments. If not, so be it. There will be another meeting.

Dear Planning Council and Committees:

From an affected and concerned landowner, I am concerned that due to reasons outlined below, you can expect a larger public reaction when the draft plan is made public.

1. This has not been a transparent process. It is apparent from the committee's decision not to provide any responses to the many comments our family and many others have taken the time to submit, that this will be a non-transparent process.
2. The pandemic has impacted public meetings and input on the issues at stake. So enter zoom meetings. The decision to not allow public comment was just another example of non-transparency and restricting communication from citizen stakeholders to only written comments.
3. I have attached examples of misinformation that is being provided to the public. The topographic information published on the Tideflats Subarea Plan at City of Tacoma.org, is approximately 8 years old and does not show current grades and slopes. This is extremely important information for affected property owners to evaluate and take appropriate steps to maintain and preserve their existing property rights.
4. What the information shows, and shows it quite clearly, is two examples of Manke Lumber's removal of hillside, and moving east with their industrial use. These photo's document industrial encroachment into an area zoned MSF. The aerial map was dated 2015. The hillside was removed sometime around 2012. The topography (yellow) lines match the terrain prior to the hillside removal. The trucks are parked in an area where the steep slope previously existed.

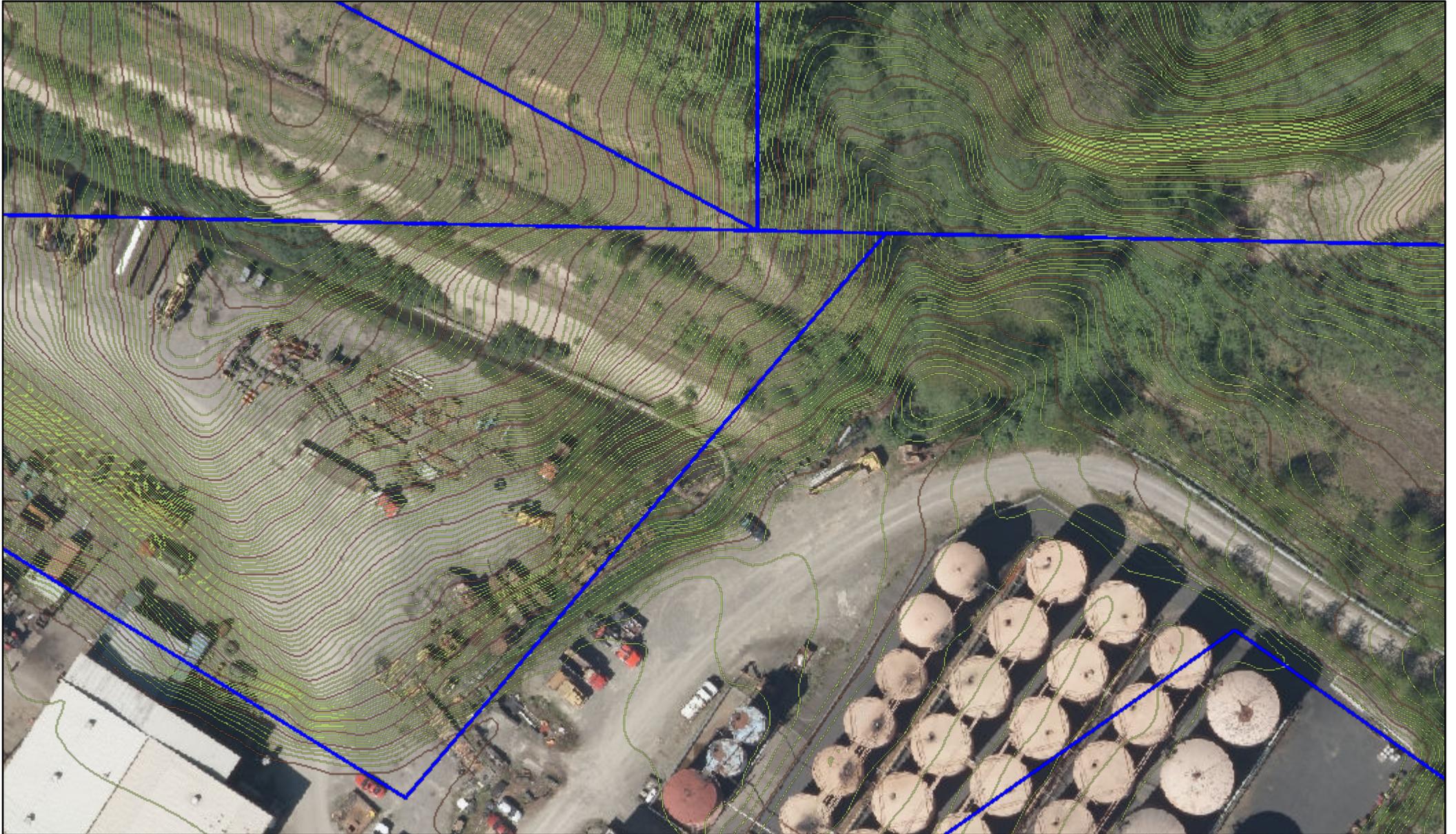
5. We respectfully ask that the planning committees please refrain from using the term "residential encroachment" and call it what it is. "Industrial Encroachment"

Restricting public input during the planning process is a violation of the current RCW's and the Washington State GMA. If you could address received public comments on the process, during your meetings, Possibly reading them aloud as if the question was raised in a public forum, and commenting, that would be a step in the right direction.

Respectfully,

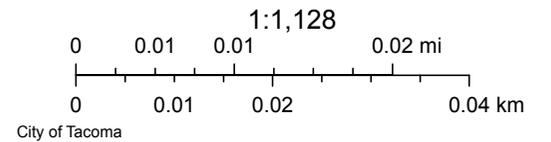
Randy P. Heiberg, P.E.
for The Heiberg Family

industrial encroachment exh 1

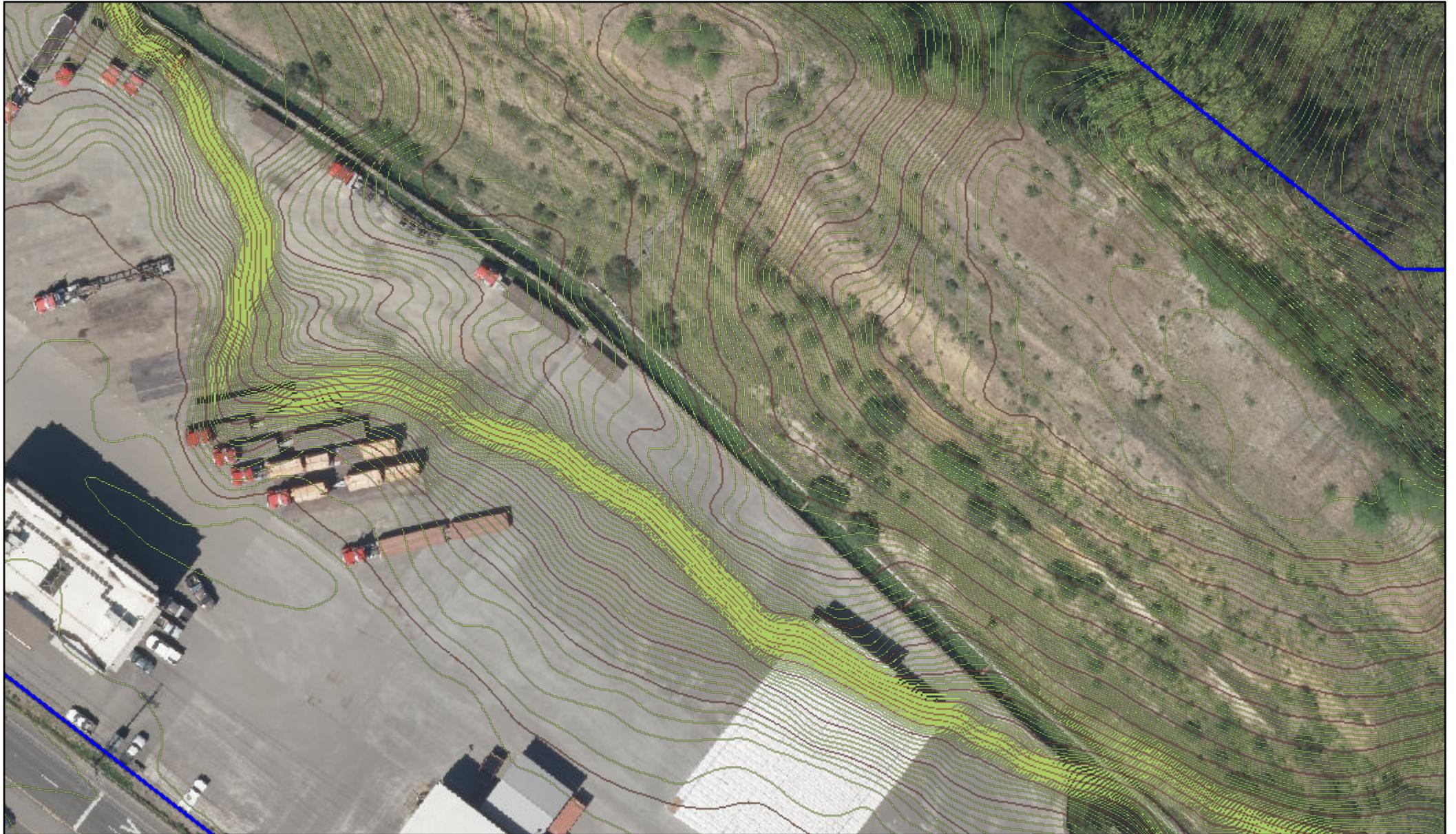


2/3/2021, 2:21:16 PM

-  Tacoma City Boundary
 -  10' Contour
 -  2' Contour
 -  Base Parcel
- Topography

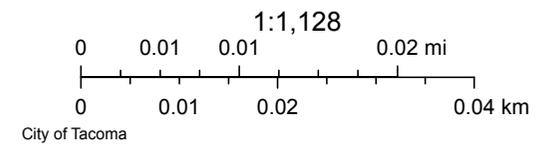


industrial encroachment example3



2/3/2021, 2:30:53 PM

-  Tacoma City Boundary
-  10' Contour
-  2' Contour
-  Base Parcel



Wung, Lihuang

From: Stephanie Hillman <stephanie.hillman@sierraclub.org>
Sent: Wednesday, February 3, 2021 12:31 PM
To: Planning
Subject: Comments regarding Non-Interim Regulation recommendations

Dear Tacoma Planning Commissioners,

I do realize these comments were due by noon, but I hope the voice of our coalition can still be considered.

The Power Past Fracked Gas Coalition comprises over 25 organizations working to protect the health and safety of Pacific Northwest communities and climate by accelerating an equitable transition off fossil fuels. Many of these organizations are located in and around Tacoma. We also sign on to the comments below.

As you consider staff recommendations for addressing the risks posed by new and expanded fossil fuel facilities in Tacoma, we urge the Commission to move forward with a proposal that centers community health, environmental justice, and the urgent need and commitment to address climate change.

We look forward to providing more detailed comments in the upcoming public comment period in and public hearing, but would like to highlight key principles at this stage of the process, including:

- Strong support of the staff recommendations to prohibit new major fossil fuel facilities in the Tideflats
- Strong support for prohibition on expansions of existing facilities (including new or expanded storage tanks, driveways, rail sidings, docks, piers, refining and processing equipment) as well as for requirements to provide additional oversight of modifications, infrastructure replacement, and change of use activities through a conditional use permit process
- Support for allowing a potential pathway for new renewable fuel facilities, but only with strong standards for what constitutes a “renewable fuel,” as well as appropriate oversight and evaluation of impacts including greenhouse gas impacts, local health and safety impacts, vessel traffic impacts, and endangered marine species impacts through a conditional use permit process and strengthened criteria included within the staff proposal

As the Planning Commission moves forward, we also urge more attention to the following areas of concern:

- Conditional use criteria should have a strong health and environmental justice analysis that considers and centers impacts on the Puyallup Tribe and tribal resources and on communities of color and other frontline communities in Pierce County. This should include consideration of the cumulative health impacts of polluting industries at the Tacoma Tideflats and in South Tacoma.
- Regulations of existing fossil fuel processing facilities should include a limit on throughput volume, not just storage capacity. Regulating only storage capacity will not address the real health and safety concerns associated with more oil-laden trains and vessels coming through our towns and our waters - because each one carries a risk of a catastrophic oil spill, fire, and explosion.

In order to plan and invest in economic development and a healthy environment, Tacoma must prioritize clean and shoreline-dependent industries and limit high-risk, heavily-polluting industrial uses that simply come with an unacceptable economic and environmental cost to our community. These proposed amendments are sound, fair, and far overdue. Thank you for your service and commitment to developing critical protections for Tacoma, and we look forward to continuing to work with you as this process moves forward.

Sincerely,

Stephanie Hillman

--

Stephanie Hillman
Co-Lead, Power Past Fracked Gas Coalition
<https://powerpastfrackedgas.org>
Northwest Campaign Rep
Our Wild America-Dirty Fuels
206-378-0114, ext 307
www.sierraclub.org/Washington

Wung, Lihuang

From: Victoria Leistman <victoria.leistman@sierraclub.org>
Sent: Wednesday, February 3, 2021 10:37 AM
To: Planning
Cc: Stephanie Hillman
Subject: Comments on Non-Interim Recommendations

Dear Tacoma Planning Commissioners,

As you consider staff recommendations for addressing the risks of new and expanded fossil fuel facilities in Tacoma, Sierra Club urges the Commission to move forward with a proposal that centers community health, environmental justice, and the urgent need and commitment to address climate change.

We look forward to providing more detailed comments in the upcoming public comment period in anticipation of the March 3rd public hearing, but in the meantime would like to highlight key principles at this stage of the process, including:

- Strong support of the staff recommendations to prohibit new major fossil fuel facilities in the Tideflats
- Strong support for prohibition on expansions of existing facilities as well as for requirements to provide additional oversight of modifications, infrastructure replacement, and change of use activities through a conditional use permit process
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- Potential point re: shortcomings of basing code on storage as metric for expansion/transloading capacity
- Cumulative health impacts of polluting industry at the Tacoma Tideflats

Thank you for your service and commitment to developing sound protections for Tacoma. We recognize the tension between going swiftly for robust protections from polluting high risk industries and balancing economic and industrial impacts. These proposed amendments are sound, fair, and far overdue.

Sincerely,

Victoria Leistman
Sierra Club

Best,

Victoria Leistman

Sierra Club
Organizer
She/her/hers

The Power Past Fracked Gas coalition is hiring a Coalition Coordinator! Full-time, remote position with good benefits and flexible hours supporting OR & WA campaigns.

Deadline to apply: Feb 15.

Full details and application instructions are available at <https://powerpastfrackedgas.org/job-posting-coalition-coordinator/>

Wung, Lihuang

From: Stacy Oaks <stacy@350seattle.org>
Sent: Wednesday, February 3, 2021 11:34 AM
To: Planning
Subject: Non-Interim Regulations Draft Recommendations

Dear Tacoma Planning Commissioners,

As you consider staff recommendations for addressing the risks posed by new and expanded fossil fuel facilities in Tacoma, we urge the Commission to move forward with a proposal that centers community health, environmental justice, and the urgent need and commitment to address climate change.

We look forward to providing more detailed comments in the upcoming public comment period in and public hearing, but would like to highlight key principles at this stage of the process, including:

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- Regulations of existing fossil fuel processing facilities should include a limit on throughput volume, not just storage capacity. Regulating only storage capacity will not address the real health and safety concerns associated with more oil-laden trains, trucks, and vessels coming through our towns and our waters - because each one carries a risk of a catastrophic oil spill, fire, and explosion.

In order to plan and invest in economic development and a healthy environment, Tacoma must prioritize clean and shoreline-dependent industries and limit high-risk, heavily-polluting industrial uses that simply come with an unacceptable economic and environmental cost to our community. These proposed amendments are sound, fair, and far overdue. Thank you for your service and commitment to developing critical protections for Tacoma, and we look forward to continuing to work with you as this process moves forward.

Sincerely,
Stacy Oaks, Organizer
on behalf of 350 Seattle



City of Tacoma
Office of Sustainability

February 2, 2021

TO: Infrastructure, Planning, and Sustainability Committee

RE: Non-Interim Tideflats and Industrial Land Use Regulations Recommendations

Dear Council Members of the Infrastructure, Planning, and Sustainability Committee,

The Sustainable Tacoma Commission is writing with recommendations and considerations for the drafting of non-interim Tideflats regulations, a process coordinated at this stage through Tacoma's Planning Commission.

We call on the City to take urgent action to preserve the possibility of a low-carbon future for our community, which is next to impossible if we allow fossil fuel investments to expand.

In this letter, we wish to primarily communicate our concern about fossil fuel industries in Tacoma's tideflats because of our focus on mitigating the worst consequences of climate change driven by continued greenhouse gas (GHG) emissions. Our specific recommendations and considerations follow in the body of this letter.

The purpose of the Sustainable Tacoma Commission is to advise the City Council about climate and other sustainability topics, and hold the City accountable for the implementation of policies that protect and enhance Tacoma's natural resources for current and future generations, such as Tacoma's 2015 Environmental Action Plan. We value environmental justice and recognize that achieving equitable outcomes requires challenging and uncomfortable community conversations. **We thank the Planning Commission for welcoming community input on non-interim Tideflats Regulations that will remain in place until the completion of the Subarea plan.**

Our understanding of the intent of the non-interim regulations is to preserve the full range of regulatory possibilities for the Tideflats Subarea Plan. The Sustainable Tacoma Commission has affirmed many times that we want to see a carbon neutral future for our city; there is no way to meet that if we lock in additional investments in fossil fuels. To achieve this future, **regulations need to be more stringent in order to protect Tacoma from development that is against the public interest and existing City policies while we draft the Subarea Plan.**

This is clearly a topic that is important to the broader community in Tacoma, and we have seen ongoing strong community advocacy from a large range of coalitions that share our understanding of the intent of the regulations, and what is needed to preserve that intent. We want to emphasize – it is specific subsets of uses, not business and industry in general that we feel is contrary to the City of Tacoma's established environmental goals. **We believe there is a vibrant short- and long-term economic future in Tacoma's port that is not dependent on fossil fuels**, and shifting focus at this time to adding green jobs will leave Tacoma poised to be an early adopter that will benefit from the global transition away from fossil fuels.

Science and Policy Context

The science on climate change is now well established. The 2018 UN International Panel on Climate Change (IPCC) report details the projected impacts of global warming for 1.5°C and 2°C above pre-industrial average temperature.¹ Reaching either of these thresholds will have devastating impacts on populations around the world, due to increases in summer temperatures, drought, flooding from sea level rise, and catastrophic storms. In response to these catastrophic impacts, the global target for signatories of the 2015 Paris Agreement is to limit warming to 1.5° C (2.7° F).² The same report found that we must achieve a 45% reduction from 2010 levels by 2030, and a 100% reduction by 2050 to reach this target, meaning have a little less than 10 years to make meaningful reductions in emissions to avoid exceeding a 1.5° future.

The City of Tacoma has committed to climate action through a number of different plans and policies, beginning with the initial 2008 Climate Action Plan.³ Climate goals are included in the City's Comprehensive Plan (the One Tacoma Plan), and the 2015 Environmental Action Plan (EAP), which outlines 67 actions over a 5-year period to respond to environmental challenges and climate change, and set a target of 40% below 1990 levels by 2020.^{4 5} Unfortunately, according to the latest update to the City's greenhouse gas inventory, **we did not meet that target.**⁶

Most recently, we've gotten a strong statement with the December 2019 Climate Emergency Resolution, where the City of Tacoma recognized the direct threat of climate change on our community and that it requires immediate actions to minimize harm, and constitutes a public emergency.⁷ Additionally, Mayor Woodards signed on to the "Climate Mayors" pledge, committing our city to meet the 2015 Paris agreement target after the United States' exit.⁸

Currently, the City is in the middle of its Climate Action Planning effort, to create a plan to update and replace the 2015 EAP, and which will be more focused on climate action than the EAP.⁹ **The Sustainable Tacoma Commission feels that this is a strong case for preventing new fossil fuel uses**

¹ 2018 IPCC Summary for Policymakers: <https://www.ipcc.ch/2018/10/08/summary-for-policymakers-of-ipcc-special-report-on-global-warming-of-1-5c-approved-by-governments/#:~:text=The%20report%20was%20prepared%20under,all%20three%20IPCC%20working%20groups.&text=As%20part%20of%20the%20decision,global%20greenhouse%20gas%20emission%20pathways.>

² UNFCCC overview of the Paris Agreement: <https://unfccc.int/process-and-meetings/the-paris-agreement/the-paris-agreement>

³ City of Tacoma 2008 Climate Action Plan: https://www.cityoftacoma.org/government/city_departments/environmentalservices/office_of_environmental_policy_and_sustainability/climate/environmental_action_plan/2008_climate_action_plan

⁴ Environment and Watershed Health element, Policy EN-1.26: https://www.cityoftacoma.org/government/city_departments/environmentalservices/office_of_environmental_policy_and_sustainability/climate/environmental_action_plan/2008_climate_action_plan

⁵ 2015 Environmental Action Plan: https://www.cityoftacoma.org/government/city_departments/environmentalservices/office_of_environmental_policy_and_sustainability/climate/environmental_action_plan

⁶ As part of the 2020-21 Climate Action Planning effort, the City of Tacoma worked with consultants to establish a baseline of our greenhouse gas emissions, and update previous inventories with that methodology. This report has been shared internally and with the Sustainable Tacoma commission. Contact: Kristi Lynett (kristin.lynett@cityoftacoma.org)

⁷ Climate Emergency Resolution: https://www.cityoftacoma.org/in_the_news/city_council_approves_climate_emergency_resolution#:~:text=The%20Tacoma%20City%20Council%20passed,a%20climate%20emergency%20in%20Tacoma.

⁸ Climate Mayors Member Cities: <https://climatemayors.org/member-cities/>

⁹ 2020-21 Climate Action Planning Overview: https://www.cityoftacoma.org/government/city_departments/environmentalservices/office_of_environmental_policy_and_sustainability/climate/2020-21_climate_action_planning

and expansion of existing fossil fuel uses, so that we don't come out of this process with a Climate Plan that says one thing, and a reality that is incompatible with the plan.

Lastly, we want to point out that while we expect Tacoma to be good global citizens, and contribute to mitigating climate impacts for the global community, **we will also feel the negative impacts of climate change here**. According to the City's 2016 Climate Resilience Study, warming is expected in all seasons, and Tacoma is expected to see more intense heat waves, landslides, and more intense precipitation events.¹⁰ Sea level rise in Tacoma will most impact the tideflats areas, and is projected to increase up to 19 inches by 2050, and 56 inches by 2100 – with 24 inches of sea level rise, 100-year flood events will become annual events.¹¹ Extreme heat and inland flooding will directly impact (and are already impacting) Tacoma residents, and hit BIPOC frontline communities the hardest, which are already subjected to systemic inequalities.

Recommendations

Setting the stage for a successful, accountable, and transparent Subarea Planning process begins with preserving the widest array of futures for consideration. Then we can begin the process of supporting and expanding the economic engine that the Port is, while centering environmental justice in the planning.

To do this, we recommend that the non-interim recommendations:

1. Continue the moratorium on new fossil fuel and heavy industrial uses, and be updated to halt the expansion of existing fossil fuel or heavy industrial uses.

We support NO expansion of fossil fuel capacity in Tacoma and through the Port of Tacoma, whether from new uses or expansion of existing uses. The current Interim Regulations allow for expansion of existing heavy industry, and we have seen some existing uses (that would not be permitted if new uses) expand during this interim period. **This expansion is in conflict with the City's environmental goals, and with the spirit of the original Interim regulations.**

2. Adopt the staff recommendations brought forward in the January 20, 2021 Planning Commission meeting, which include:

- Prohibit new mining and quarrying citywide
- Prohibit smelting citywide
- Prohibit coal facilities citywide
- Prohibit petrochemical, fertilizer, and explosives manufacturing citywide, with conditional permitting at the Port.¹²

3. Prohibit the export of fossil fuel products from Tacoma and through Tacoma's port.

The inherent danger of exporting fossil fuels to our water and land environments along with our desire to not promote fossil fuel use anywhere, makes this an important step for the City.

¹⁰ 2016 Tacoma Climate Change Resilience Study Full Report:

https://cms.cityoftacoma.org/Sustainability/Climate_Resilience_Study_Final_2016.pdf

¹¹ These figures from the Climate Change Resilience Study; the WA Coastal Network provides a more refined tool that gives sea level rise projections along with probabilities. Under a high emissions scenario at 2100, there is a 50% likelihood of seeing 30 inches of sea level rise, and a 5% likelihood of seeing 48 inches.

<https://wacoastalnetwork.com/chrn/research/slr-visualization/>

¹²

[https://www.cityoftacoma.org/UserFiles/Servers/Server_6/File/cms/Planning/Planning%20Commission/PC%20Presentations%202021/Presentations%20\(01-20-21\).pdf](https://www.cityoftacoma.org/UserFiles/Servers/Server_6/File/cms/Planning/Planning%20Commission/PC%20Presentations%202021/Presentations%20(01-20-21).pdf)

4. In considering permitting alternative fuels, adopt a definition of low carbon fuels based on carbon intensity.

The Puget Sound Clean Air Agency has relevant information for this definition, and other states, such as California, have a low carbon fuel standard that also includes sample definitions.

5. Keep equity at the forefront in decision making.

The port and the industrial sector of the city serve the entire city and impact the entire city. The Immigration and Customs Enforcement (ICE) facility, Puyallup Tribal lands, and vulnerable populations are all represented on or near the port and the South Tacoma industrial area. They suffer disproportionately from air pollution as is made clear by the Tacoma-Pierce County Health Department health disparities maps, and are more likely to suffer the impacts of both natural and human-made disasters to their homes, land, and water.

6. Continue to support the Subarea Planning process through adequate allocation of staff time.

We still have concerns about the staff capacity added to this process, and wrote a letter to this effect in 2018. We urge the city to continue to evaluate how they dedicate staff time to the project, and when possible, to increase staff resources to ensure that stakeholders and the community at large have timely, responsive, and accessible information throughout the process.

Thank you for doing this very challenging work.

Sincerely,

A handwritten signature in black ink, appearing to read "Lexi Brewer", is centered on a light gray rectangular background.

Lexi Brewer
Chair, Sustainable Tacoma Commission

CC: City of Tacoma Office of Environmental Policy and Sustainability
Michael P. Slevin III, Environmental Service Department Director
Elizabeth Pauli, City Manager
Tadd Wille, Deputy City Manager
Jennifer Kammerzell, Public Works
Lihuang Wung, Planning and Development Services

Wung, Lihuang

From: Heidi S. <heidigs@hotmail.com>
Sent: Wednesday, February 3, 2021 11:15 AM
To: Planning; Planning
Cc: Woodards, Victoria; Hines, John; Thoms, Robert; Blocker, Keith; Ushka, Catherine; Beale, Chris; Hunter, Lillian; McCarthy, Conor; Walker, Kristina
Subject: Comments to Planning Commission for Feb. 3, 2021 meeting
Attachments: Interim Tideflats Regulations STNC.docx

Comments to Tacoma Planning Commission for the Feb. 3, 2021 meeting regarding:

Tideflats and Industrial Land Use Regulations

As the title suggests, this project has focused primarily on the Port of Tacoma / tideflats. South Tacoma residents have only recently become aware of our being included in this industrial proposal. Replacing "Non-Interim" with "and Industrial" is not enough to be appropriately inclusive at such a late date.

South Tacoma is a residential/recreational/school/business area, so placing heavy industry in close proximity is a community health issue which could easily become a crisis. It is inappropriate to have included South Tacoma into these "fast-tracked" regulations, promising for only a possible "closer look into" later (as was suggested by the city staffer in the prior meeting). We've already tried that, having sent a letter to the City Council in 2019 requesting for the outdated and hazardous heavy industrial zoning of South Tacoma to be reviewed. We received no response then, so have little faith of that approach in the future. Now is the time to address this unacceptable issue before it becomes new regulation and even more hazardous.

Our concern in 2019 rose in opposition to Sutter Metals' permit application for metal recycling/auto crushing at 5312 South Burlington Way, directly above the protected groundwater aquifer (which serves as a significant source of drinking water, supplying up to 40% of Tacoma's water demand). Despite our raised concerns of this business's history of flagrant past environmental violations as well as direct conflict with the TPCHD guidelines (specifically calling-out the serious contaminants of auto fluids, metal, solvents and de-greasers as significantly threatening to the aquifer), the city still gave approval, essentially siting poor regulatory verbiage to prevent it.

Since then, it appears the city has done nothing to stop this from happening again despite residents' complaints of Sutter Metals' unacceptable noise and air pollution. Of equal concern is the less immediately evident potential groundwater contamination. As has happened with other area businesses, the infrequent policy of "monitoring-then-correcting" does nothing to actually prevent contamination nor remove it afterward; it only identifies a problem after it has already occurred.

Instead of this kind of after-the-fact-monitoring, the municipal code/covenant/guidelines should never have allowed for such industrial activity above/near the protected groundwater aquifer to begin with, and should have since been changed. "Annual" monitored testing of area ground water is not effective when damage is discovered only after it has already happened. Years from now, future generations will be amazed that anyone should have had to point that out.

So it was ironic, in the last Planning Commission meeting, that when commenting about chemical storage near "marine and waterways", the city staffer seemed referring only to shoreline but which should obviously also apply to groundwater. The city presenter also spoke of limiting high-density housing near risky businesses to minimize negative impacts, wanting to "avoid high-risk situations first" so as not to "jump to compensation"

while purporting "clean air and clean water"... however, that apparently was again only applying to the Port-of-Tacoma, not to South Tacoma where non-industrial businesses are actually being recommended as limited. South Tacoma should have no further heavy industry allowed and should instead be encouraging only clean industry.

It is time to give South Tacoma the consideration it has always deserved but has not yet been receiving -- especially since the city is pushing for dense in-fill housing in South Tacoma right up to the border of the industrial zone. "It's always been done that way" (another quote from a prior meeting) is not an acceptable response, and new pollution limitations for the protection of South Tacoma residents must become a priority.

Failure to acknowledge and begin addressing this issue now may well result in a situation such as is currently occurring in Flint, MI where former elected officials are being charged for their poorly thought-through choices, neglect to act and the resulting harm to residents. Tacoma city leaders are fortunate to be made well aware well in-advance, although there will be little defense if they choose not to act. Hopefully you will take this opportunity to be the leaders we need now, and begin the process toward implementing a logical rezoning change.

Please consider alternatives such as is being done in Denmark where they are planting trees to cover their groundwater sites to ensure their drinking water security -- this would also help combat the increasing air pollution in South Tacoma. Tacoma should not be selling "surplus" land (current Resolution No. 40734, regarding 43 undeveloped acres) but should instead be preserving them. King County has adopted a "one million tree plan", so this is the perfect time for Tacoma to apply its two current tree initiatives by securing all remaining Burlington Northern and vacant property within the protected groundwater district, creating a world-class urban forest.

Sincere thanks to Commissioner Edmonds for voicing that South Tacoma should not have heavy industrial zoning, as well as pointing out the inappropriate high-pressure directive to fast-track from interim (in place for four years) to non-interim becoming permanent (within a matter of just a few months). Thank you to Vice Chair McInnis who echoed the nonsensical M2 zoning in South Tacoma. For the city staffer to suggest that the City Council can simply "revisit" South Tacoma later, this feels deceptive and dismissive. Thanks to Chairperson Petersen for pressing that point, and mentioning the potential rezoning consideration. Thanks to Commissioner Karnes for proposing transparent trackable environmental guidelines regarding health standards and penalties for violations. Yes, Tacoma should strive to be ahead of the curve, instead of catching-up.

Now is the time to determine which path you'll be putting forward for South Tacoma and its residents: will your legacy be a continued part of the problem - or - will you be remembered as the leaders credited with creating Tacoma's new green-zone (a known means of absorbing CO2 and protecting biodiversity) and Tacoma's contribution to achieving the nation's climate emission targets.

South Tacoma residents desire and deserve new, progressive environmentally healthy approaches for our area, and would prefer to work with (instead always having to fight against) the city for improving our unique and special community. This is all of our opportunity to work together by protecting our groundwater aquifer now, which will not only benefit South Tacoma but the entire City of Tacoma for generations to come.

~ Heidi Stephens
Resident of South Tacoma

Enclosure: See also the attached letter from the South Tacoma Neighborhood Council Board



1/27/2021

Mayor Victoria Woodards
City Council of Tacoma
747 Market Street
Tacoma, WA 98402

Mayor Woodards and the Tacoma City Council,

The South Tacoma Neighborhood Council is once again communicating our urgent request regarding the need for rezoning of land above and near the South Tacoma Groundwater Protection District. We had sent a similar letter on September 10, 2019 but received no action, much less even a reply.

Only recently, we learned the Planning Commission has now been tasked to “fast track” non-interim regulations which were primarily written for the Port of Tacoma tide-flats, yet those are also being applied to South Tacoma even though South Tacoma is vastly different than the heavy industrial port.

South Tacoma is a vibrant community made up of both historic homes and newer multi-family housing, recreational fields, school and business districts. South Tacoma's protected groundwater aquifer serves as a significant source of the city's drinking water, supplying up to forty percent of Tacoma's water demand. South Tacoma's history of railroad industry no longer reflects present day, and the M2 industrial zoning from 1953 is inappropriate and should have been recognized as outdated long ago.

Ironically, the ST-M/IC proposes to restrict precisely the kind of non-industrial businesses we would like to welcome to South Tacoma, which CoT recognized as obviously incompatible with heavy industry. For example, the proposed regulations acknowledge that an assisted-living facility should not be near an M2 zone, while at the same time the city's "Home in Tacoma" project is proposing high-density housing in South Tacoma near the very areas the non-interim regulations are trying to retain as solely heavy industry.

South Tacoma needs to be removed from the Tide-flat Non-Interim Regulations, and the industrial zoning must be reviewed and changed. It is no longer acceptable to assume that South Tacoma may someday later get a closer look' as was suggested by the city staffer in a recent Planning Commission meeting. Now is the time to take the obvious action and give South Tacoma proper designation instead of allowing for continued high pollution levels contributing to the unbalanced early mortality rates occurring here (per TPCHD).

We envision a new approach, such as a “Green Zone” which could be realistically obtainable with progressive-minded enticements and rezoning to support economically and environmentally sustainable businesses, while preventing additional health hazards and prohibiting further threat or contamination to the aquifer.

We of the South Tacoma Neighborhood Council are once again formally requesting that this issue no longer go unnoticed, un-responded to and un-acted upon. We look forward to working with the city in determining the best new approach for South Tacoma; either as a separate interim-or-non-interim regulation specific to this area, or an amendment to the comprehensive plan for corrected rezoning, and/or your welcomed solutions to create a better future for South Tacoma which will also be for the betterment of our entire city.

Respectfully,
South Tacoma Neighborhood Council

CC: Tacoma City Council, Tacoma Planning Commission, Tacoma-Pierce County Health Department, Pierce County Council, All Tacoma Neighborhood Councils, Rep. Melanie Morgan, Rep. Steve Kirby, Sen. Steve Conway

Wung, Lihuang

From: Gustafson, John <JGustafson@parpacific.com>
Sent: Wednesday, February 3, 2021 11:44 AM
To: Planning
Cc: Troske, Andrew J; Wung, Lihuang
Subject: USOR Comments Tacoma Planning Commission
Attachments: USOR Comments Tacoma Planning Commission 20210203 Final.pdf

Dear Chair and Planning Commission Members,

Thank you for the ability to participate in the listening session on January 13, 2021, with the Planning Commission. This opportunity was useful in shaping a collaborative approach to achieving the City's emissions goals – an important part of U.S. Oil's commitment to working with the City.

The attached letter provides responses to several questions that were raised during the Listening Session and subsequent discussion by the Planning Committee:

- Breakdown of the 200 employees and 60 contractors who work at U.S. Oil and who, like their neighbors throughout the area, live and work here too and understand and are concerned about climate.
- Discussion on the differences and similarities of the petrochemical and refining industries.
- Discussion on Conditional Use Permitting and the tangible impacts its use has on development of renewable fuels.

We look forward to continued collaborative effort toward a shared vision for the future that includes access to energy options that meet our shared climate goals.

Thank you in advance for your consideration.

Regards,

John

John B. Gustafson
EHS Manager
U.S. Oil & Refining Co.
3001 Marshall Ave.
Tacoma, WA 98422
253-383-1651 (office)
253-433-4168 (cell)
jgustafson@parpacific.com



U.S. OIL & REFINING CO.

Andrew Troske
Refinery Manager

February 3, 2021

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- Discussion on Conditional Use Permitting and the tangible impacts its use has on development of renewable fuels.

Who We Are

U.S. Oil meets the needs of our community by developing refined products in a safe, environmentally responsible, and affordable way. As a small refiner – building on our legacy that began in the Puget Sound Region in 1952 – we are an agile company uniquely positioned to meet local community needs. We are different because this region is different. The community where we live, and the people who are our employees and partners, recognize the imperative of protecting and maintaining local waterways and habitat. These priorities are reflected in our values and actions.

We are more than an employer. Our nearly 200-person team and 60-70 embedded contractors combines technical expertise with ingenuity to live out our values. By joining together, our diverse team champions one another while strengthening our community.

We are Engineers: Our engineering and design team brings together refinery engineering with safety and design excellence.

We are Instrument Mechanics: Our team of instrument mechanics are hands-on specialists in installation, troubleshooting, repairing, automation, and control systems.

We are Operators: Our operations team are skilled technicians who use their in-depth knowledge to control and monitor our process.

We are Procurement Specialists: Our procurement professionals work in the offices adjacent to our plant as critical team members ensuring smooth back-office operations.

...and so many more. We supply jet fuel to JBLM and other military installations across Puget Sound and in turn, we look to them for potential future employees. We also recruit from local universities, community colleges, and trade schools. We rely on mechanics, craft workers from the United Steel Workers (69 members strong at U.S. Oil) and Building and Trade Unions. Every single professional on our payroll plays a distinct role in the delivery of products our community and local businesses rely on and without equivocation, they do so with public and environmental safety as their top priority.

U.S. Oil & Refining Co. Employment Summary

U.S. Oil & Refining Co. Employees & Contractors	Typical Minimum Education Level	
Maintenance Craft (Machinists, Instrument Techs, Electricians, Carpenters, insulators, Painters, Pipefitters, Welders, Boilermakers, Laborers and Industrial Maintenance Mechanics) (25% Employee/75% Contractor)	Apprentice, Trade School	31% (~78)
Process Operators	High School	21% (~53)
Professionals (Engineers, Chemists, Accountants, Commercial Analysts, Traders, Environmental Engineers, Safety Professionals)	College	17% (~44)
Administrative and Services Support (Administrative Assistants, Accounting Clerks, Warehouse Staff, Janitorial) (80% Employee/20% Contractor)	High School	10% (~25)
Front Line Leaders and Team Leaders	College– High School	10% (~24)
Technicians (Lab Technicians, Piping Designers, IT Techs)	College	7% (~18)
Officials and Managers	College	4% (~11)

In 2018, (based on 2017 data), the Washington Research Council identified that the refinery industry in Washington State has a total employment multiplier of 11.68. That equates to over 2300 family wage jobs that are supported by U.S. Oil in our work to meet local demand. This cycle repeats – refined product (gasoline, diesel, jet fuel and asphalt) demand supports jobs which strengthens the local economy and supports families, in houses roofed with shingles produced from our product, who access locally-sourced, affordable fuel at the pump driven on roads paved with our product.

Innovation in Petrochemicals

At the Planning Commission meeting on January 20, 2021, City staff presented potential future land use regulations that would prohibit petrochemical manufacturing (along with explosives manufacturing and fertilizer manufacturing) city wide. Other chemical manufacturing would be allowed within the Port

Industrial Core Area (PMI) and require Conditional Use Permits in the Port Buffer Area (M-2 and M-1).” Petrochemicals” is an extremely broad term, and it is important to clearly distinguish the types and uses of petrochemicals and what could be impacted by this proposed prohibition.

Petrochemicals are broadly defined as chemical products derived from a starting material obtained from petroleum by refining. Millions of products are made from petrochemicals – *not because they all rely on petroleum* – but because they share basic chemical building blocks with petroleum-based products. Some chemical compounds made from petroleum are also obtained from other fossil fuels, such as coal or natural gas *OR* from renewable sources such as corn, soybeans, sugar cane, and other types of biomass. All of these would fall into the broad definition of “petrochemicals,” with products processed from sugar cane joining those directly processed from crude oil.

The machines and other products that society depends on rely on energy, and energy-derived products –some of which are derived from petrochemicals. From vehicles that transport people and products to work, to market or to school to the materials that comprise our homes, clothing, medicines, hygienic products, mobile phones, office chairs or hold gallons of milk - to the machinery that harvests crops, sorts garbage or is the foundation of microchips, surgical operating rooms, solar panels, and wind turbines.

Innovation in Refining

There are two ways refineries can be cleaner and greener. The first is through the way we operate the refinery. We invest in environmental and safety upgrades in order to reduce emissions. The second is in the mix of the products we produce. We have recognized the community imperative and embrace the goals of reducing carbon emissions and addressing climate change. For example, we have increased our asphalt production – a carbon sink – as we move away from higher emission marine fuels. The market demands it and modern technology enables us to meet the needs of our customers and the values of our community.

U.S. Oil’s vision is to develop cleaner fuels and we are well on our way. Innovations that improve processes and products are unfolding at breakneck speed. Petrochemicals may be produced from renewable feedstocks and are essential for many renewable energy industries. **We cannot rule out that petrochemicals – whether or not derived from petroleum - will play a critical role in future development of local clean fuel production capacity either as a building block and/or as a byproduct of production.** Our fervent hope is that misunderstanding of chemistry in manufacturing – including manufacturing of renewable products – does not stifle innovation before it can even get started.

We stand ready to provide expertise to the Commission and its staff for any questions you may have regarding these types of industrial operations.

Conditional Use Permits

U.S. Oil fully supports the City of Tacoma in its desire to establish a process that moves the current pathway of interim regulations from a figure eight to a beeline to completion. The uncertainty of the current system establishes little that encourages investment, innovation, security, or responsible

growth. Values embedded into regulating in this region when it comes to environmental protection, clean air and water, the public good and tribal sovereignty are not under debate by us, or anyone else who lives and works here. What is at stake is the ability to deliver the cleaner, future-driven and visionary products made in Tacoma, for Tacoma, by Tacoma, and bridge the divide from our present to the future.

As we have emphasized, U.S. Oil, like many others, needs the certainty of fair, pragmatic, and long term regulations to effectively compete for investment funds needed to upgrade equipment that reduces our onsite emissions as we have done in the past, and build out the proper infrastructure to receive, refine, and deliver renewable fuels and their feedstocks. This is a clear and stated goal of U.S. Oil and is supported by our recent actions. **We are concerned that application of conditional use permitting could have unintended consequences that limit or discourage environmental and safety upgrades to current refinery operations as well as the local production of renewable fuels at the same time more people and businesses are also trying to transition.** Further, explicit inclusion of renewable fuels (e.g., production) as a permissible use as proposed by the port would encourage and facilitate future development of local production. Local production leverages the existing local distribution network, minimizing supply chain emissions. Stakeholders need one process, one result, and one term of enforcement so we can all move forward.

Conclusion

U.S. Oil is a supplier of refined products that meet local demand. We are also good neighbors, employers and members of our community. We believe our vision to serve as the bridge from traditional fossil fuels to cleaner fuel sources is one that aligns with the priorities of the people who also live and work here. We are concerned that broad prohibition of petrochemical manufacturing across the city and application of conditional use permitting could have unintended consequences that limit or discourage local production of refined products and renewable fuels – both of which are key elements to the energy transition our community is seeking to create.

We don't know what every energy solution will be, but what we hope for is execution of a shared vision for the future that includes access to energy options that meet our shared climate goals.

Respectfully submitted,



Andrew Troske

Wung, Lihuang

From: Daniel Villa <dan@350tacoma.org>
Sent: Wednesday, February 3, 2021 2:18 PM
To: Planning
Subject: Comment on Non-Interim Regulations

Dear Tacoma Planning Commissioners,

As you consider staff recommendations for addressing the risks posed by new and expanded fossil fuel facilities in Tacoma, we urge the Commission to move forward with a proposal that centers community health, environmental justice, and the urgent need and commitment to address climate change.

As I'm sure you know, the City passed a Climate Emergency Resolution over a year ago now and without meaningful regulations in its wake, it is just another piece of paper.

We look forward to providing more detailed comments in the upcoming public comment period in and public hearing, but would like to highlight key principles at this stage of the process, including:

- Strong support of the staff recommendations to prohibit new major fossil fuel facilities in the Tideflats

- Strong support for prohibition on expansions of existing facilities (including new or expanded storage tanks, driveways, rail sidings, docks, piers, refining and processing equipment) as well as for requirements to provide additional oversight of modifications, infrastructure replacement, and change of use activities through a conditional use permit process

- Support for allowing a potential pathway for new renewable fuel facilities, but only with strong standards for what constitutes a "renewable fuel," as well as appropriate oversight and evaluation of impacts including greenhouse gas impacts, local health and safety impacts, vessel traffic impacts, and endangered marine species impacts through a conditional use permit process and strengthened criteria included within the staff proposal

As the Planning Commission moves forward, we also urge more attention to the following areas of concern:

- Conditional use criteria should have a strong health and environmental justice analysis that considers and centers impacts on the Puyallup Tribe and tribal resources and on communities of color and other frontline communities in Pierce County. This should include consideration of the cumulative health impacts of polluting industries at the Tacoma Tideflats and in South Tacoma.

- Regulations of existing fossil fuel processing facilities should include a limit on throughput volume, not just storage capacity.

Regulating only storage capacity will not address the real health and safety concerns associated with more oil-laden trains, trucks, and vessels coming through our towns and our waters - because each one carries a risk of a catastrophic oil spill, fire, and explosion.

In order to plan and invest in economic development and a healthy environment, Tacoma must prioritize clean industries and limit high-risk, heavily-polluting industrial uses that simply come with an unacceptable economic and environmental cost to our community. These proposed amendments are sound, fair, and far overdue. Thank you for your service and commitment to developing critical protections for Tacoma, and we look forward to continuing to work with you as this process moves forward.

For a better tomorrow,

Daniel Villa

Volunteer, 350 Tacoma

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Wung, Lihuang

From: Dorothy Walker <dorothyw@centurylink.net>
Sent: Wednesday, February 3, 2021 10:39 AM
To: Planning
Subject: Interim Regulations for Tacoma Tideflats

February 3, 2021

Tacoma Planning Commissioners:

I am writing to urge you to implement Interim Regulations for the Tideflats that will prohibit new major fossil fuel facilities, prohibit expansions of existing facilities, and provide regulation of modifications, replacements and change of use. Please limit and provide monitoring of the impacts on greenhouse gas, air and water pollution. Place a priority on the protection of human and marine animal health and safety.

Thank you for your dedication to our communities.

Sincerely,
Dorothy Walker

dorothyw@centurylink.net



1402 Third Avenue, Suite 1400
Seattle, Washington 98101
(206) 631-2600 PHONE
www.wecprotects.org

February 3, 2021

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- Strong support for prohibition on expansions of existing facilities (including new or expanded storage tanks, driveways, rail sidings, docks, piers, refining and processing equipment) as well as support for requirements for additional oversight of modifications, infrastructure replacement, and change of use activities through a conditional use permit process
- Support for allowing a potential pathway for new renewable fuel facilities, but only with strong standards for what constitutes a “renewable fuel,” as well as appropriate oversight and evaluation of impacts including greenhouse gas impacts, local health and safety impacts, vessel traffic impacts, and endangered marine species impacts through a conditional use permit process and the strengthened criteria included within the staff proposal

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- Regulations of existing fossil fuel facilities should include a limit on throughput volume, not just storage capacity. Regulating only storage capacity will not address the real health and safety concerns associated with more oil-laden trains and vessels coming through our towns and our waters - because each one carries a risk of a catastrophic oil spill, fire, and explosion.

In order to plan and invest in economic development and a healthy environment, Tacoma must prioritize clean and shoreline-dependent industries and limit high-risk, heavily-polluting industrial uses that simply come with an unacceptable economic and environmental cost to our community. These proposed amendments are sound, fair, and far overdue. Thank you for your service and commitment to developing critical protections for Tacoma, and we look forward to continuing to work with you as this process moves forward.

Sincerely,

Anna Doty
Fossil Fuel Campaign Manager
Washington Environmental Council