

Public Comments

Meeting: Wednesday, July 20, 2022

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 Item on the agenda:

#1 – South Tacoma Groundwater Protection District – Consideration of a Moratorium

**No. of
Comments:** 3



From: [Dale Bickenbach](#)
To: [Planning](#)
Cc: [Atkinson, Stephen](#); [Heidi S.](#)
Subject: 20 July 2022, South Tacoma Water Protection Proposed Construction Moratorium Meeting
Date: Wednesday, July 20, 2022 12:06:09 AM

I support the proposed moratorium, look forward to further discussions/facts, and the following 27th July meeting. While I am not attending, nor listening, my knowledge of this issue has grown greatly over the last few months.

Potable water is essential. With increased/raising freezing levels on our mountains that do not grow, increased population density, and no water control restrictions within the City, of which I am aware, stepping back and a complete review is warranted.

Thanks.

dnb

Dale N Bickenbach
5232 South Mason Avenue
Tacoma, Washington
98409-1817
+1 253 475 5242 (e-mail 1st please)

From: [Heidi S.](#)
To: [Wung, Lihuang](#)
Subject: Public Comments to Planning Commission for July 20, 2022
Date: Wednesday, July 20, 2022 10:24:49 AM

Public Comments to Planning Commission, July 20, 2022

RE: South Tacoma Groundwater Protection District Moratorium

Hello Planning Commission,

In follow-up from last week's meeting and this week's agenda packet, some clarifying information:

No:

- o this is not being proposed as a 100% moratorium.
- o this will not affect the marijuana industry nor housing development.
- o the city's 1950s zoning should not override the EPA-mandated overlay protection code.
- o there is not much open land left in South Tacoma to best "recharge" the aquifer as the SWMMWW recommends.
- o this is not a response to the Bridge Industrial warehouse; this amendment application was submitted in March of 2021.
- o the Green River will not be an endless source of water/power as snow caps and glaciers are rapidly melting from Mt. Rainier.
- o development covering more than 10,000 square feet of surface, unnaturally redirecting stormwater, cannot be considered "low impact."
- o the largest/deepest of the South Tacoma aquifers cannot rely mostly on outlying miles to adequately "recharge" -- that would take decades... and that's why there's an immediate surrounding "recharge" area which the city needs to do a much better job of protecting.

Yes:

- o contaminations from storage tanks continue to be discovered but currently only requires voluntary clean-up.
- o this is an important source of Tacoma's water and, per TPU, will become even more essential in the very near future.
- o the STGPD code was created in the late 1980s but is not seeming to be appropriately followed nor updated as required.
- o increased traffic can affect groundwater and especially the downstream creeks this watershed feeds (see 6PPD-quinone article).
- o the code protects "quantity" (through infiltration) and the public had clearly/repeatedly called for that to be included in the moratorium.
- o STEGZ is about new industry, green economy bringing new environmentally necessary and well-paying jobs to the area, which residents deserve.
- o this has been designated an environmentally geohydrologically sensitive area, but has not had appropriate critical preservation reviews being done.
- o there are many known violations and new knowledge to support pausing proposed permitting until the groundwater protection code has been brought up-to-date and better enforced with no further exceptions to the code.

Prior public testimony to the City Council included concerns specifically regarding inhibited infiltration within the recharge zone, which is even more essential to protect due to the unknowns of climate change.

The public had clearly requested to address protecting existing hydrology: allowing the aquifer to retain a healthy level through natural infiltration, which is also the best way to clean the water, too.

That information needs to be included into the moratorium verbiage as it is also a very key part of the STGPD code needing to be updated (which is not being appropriately acknowledged) but refers to:

"imposing additional restrictions on high impact land use development"...

"by preserving and maintaining the existing groundwater supply"...

"if unsuitable high impact land uses were to reduce either the quality or quantity of this important public water supply source."

So, for the moratorium to include what the public is calling for -and- to actually be effective, it must include considerations of ground surface coverage.

Since the STGPD/recharge zone has been designated an environmentally geohydrologic sensitive area, the critical preservation land-use code also applies:

13.11.190 Review Process.

3. **Existing hydrology will be maintained** to support critical areas ~ among other requirements.

From Substitute Resolution 40985 this additional public input should be included (in red):

... public testimony to the City Council has raised community concerns around unsuitable high impact land uses which could reduce either the quality or quantity of this important public water supply source, and the compatibility of heavy industrial uses and storage of hazardous materials within the STGPD...

Section 2. Immediately following the adoption of the South Tacoma Groundwater Protection District Work Plan, as part of the first phase of that Work Plan, the Planning Commission will conduct a public process to develop findings of fact and recommendations as to whether a moratorium on heavy industrial uses and storage of hazardous materials within the South Tacoma Groundwater Protection District is warranted as well as other unsuitable high impact land uses which could reduce either the quality or quantity of this important public water supply source, and, if so, to recommend the scope, applicability, and duration for City Council consideration.

From the city's critical preservation code which should be being applied to this area:

13.11.120

A. Critical areas include critical aquifer recharge areas, fish and wildlife habitat conservation areas (FWHCAs), flood hazard areas, geologically hazardous areas, stream corridors, and wetlands. These critical areas serve many important ecological functions. **Many of the critical areas in Tacoma have been lost or degraded through past development. Tacoma, as an urban growth area, is experiencing increasing growth and its land resource is diminishing.** This increasing growth and diminishing land resource is creating pressure for the development of critical areas. New construction technology is also creating pressure on these sites by making development feasible on sites where it was formerly impractical to build.

B. Because of the ecological benefits of critical areas, their past destruction, and the increasing pressure to develop them, **the intent of this chapter is to ensure that the City's remaining critical areas are preserved and protected and that activities in or adjacent to these areas are managed.** The preservation standards are provisions designed to protect critical areas from degradation.

... In addition, this chapter applies to all public or private actions, permits, and approvals in or adjacent to a critical area and its buffer, management area, or geo-setback including, but not limited to, the following: 1. Building permits; 2. Clearing and grading permits; 3. Forest practices

permits; 4. Land Use permits; 5. Subdivision and short subdivisions; 6. Binding site plans; 7. Zoning amendments; 8. Creation of tax parcels.

13.11.200 Allowed Activities. ~ frankly, I don't see that any construction of new development is allowed under this category..

Again, the groundwater code addresses protecting "quantity" of water (which the city does not seem to properly addressing for high impact land uses) to require that square footage surface be part of this moratorium -- not just impervious pavement, but any pavement (since that run-off/seepage is commonly polluted and funneled into a concentrated poor-infiltrating entry point).

Stormwater from new pavement/roads/large developments would also drain to street gutters, away from the aquifer (depleting its volume) and negatively affect downstream creeks and the bay. Any plans to funnel large areas of pavement run-off into a single infiltration pond would impact the current watershed and be depleting to the aquifer/creeks. This is also one of the most vulnerable aquifers (per USGS) with fewer protection layers, so it's best to have a wide expanse of open green space for most effective filtration.

I'm hoping all commissioners will fully read the STGPD [[Tacoma Municipal Code, Title 13](#)] and also the STEGZ application [[http://cms.cityoftacoma.org/Planning/2022%20Amendment/LRP21-0004%20\(2022AmendApp%20-%20South%20Tacoma%20Economic%20Green%20Zone\).pdf](http://cms.cityoftacoma.org/Planning/2022%20Amendment/LRP21-0004%20(2022AmendApp%20-%20South%20Tacoma%20Economic%20Green%20Zone).pdf)] to understand that pausing permitting to update the groundwater code will not inhibit business but will make the right kind of clean economy possible which is imperative for our future. The fact that there has been so much new information come to light, just since the time of the STEGZ submission, supports a pause in permitting to make sure the code is up to "best science" and the moratorium includes input from all-of-the-above information and outside experts.

The pausing of such development, during this code review update, is extremely important as groundwater sources are drying up throughout the nation and the world and must be vigilantly protected. Please see additional sources, below, to warrant the moratorium.

Thank you,
Heidi Stephens

Basis/Need (why a moratorium is warranted):

The South Tacoma Groundwater Protection District code is a critical land-use overlay, with required periodic update to maintain effectiveness of current best science, to avoid contamination and maintain healthy groundwater levels. [[Tacoma Municipal Code, Title 13](#)] The code is currently outdated, and all stakeholder offices/agencies agree it needs updating.

More than just stakeholders must be consulted, though (they are the ones who let this code be overlooked and become outdated); we also need objective, independent professional scientists to provide input.

A recent U.S. District Court ruling identified many toxins as not having been updated as required by law including the following: aluminum, ammonia, arsenic, copper, cyanide, mercury, nickel, PCBs, selenium, pentachlorophenol, and tributyltin.

[<https://www.northwestenvironmentaladvocates.org/2021/12/30/protections-for-washington-waters/>] In addition, PFAS contamination need stronger monitoring and quicker action (EPA announced there are no safe levels of certain

PFAS). [<https://www.epa.gov/newsreleases/epa-announces-new-drinking-water-health-advisories-pfas-chemicals-1-billion-bipartisan>]

The most recent health department quarterly report indicated that of 40 routine inspections of businesses within STGPD there were 42 cited violations. [[Q1 STGPD Report](#)] Discoveries of abandoned and leaking underground tanks must require mandatory (not voluntary) clean-up, and the code needs to be updated to not allow for exceptions.

Not only must we protect against contamination, but also protect the aquifer's ability to recharge through natural infiltration. TPU-Water's predicted need of utilized groundwater: 50-60% by 2037, 60-70% by 2050. [<https://www.mytpu.org/wp-content/uploads/tacomawaterirp0219.pdf>]

Area of applicability:

The South Tacoma Groundwater Protection District (specifically including the ST-M/IC and recharge areas).
http://cms.cityoftacoma.org/Planning/Shoreline/Maps/10_Aquifer.pdf

Duration:

Until the South Tacoma Groundwater Protection District (STGPD) is updated and being properly enforced; ideally until the South Tacoma Economic Green Zone (STEGZ) is also in place.

Specific prohibition:

A permitting moratorium on all businesses/actions and contamination sources currently covered by the South Tacoma Groundwater Protection District code, and/or any planned development involving more than 10,000 square feet of surface, with no code exceptions allowed within the South Tacoma Groundwater Protection District and recharge areas.

Additional sources:

Tacoma Public Utilities - Tacoma Water

Integrated resource plan by city of Tacoma 2018 by Tacoma Waters Tacoma Public Utilities <https://www.mytpu.org/wp-content/uploads/tacomawaterirp0219.pdf>

Table 4.1 WYSM outputs for planning scenarios shows groundwater use in 2037 and 2050, with **predictions of Percent of Groundwater Utilized: 50-60% by 2037, 60-70% by 2050**

From the Tacoma-Pierce County Health Department Q1 2022 report: [[Q1 STGPD Report](#)]

- Conducted 40 routine inspections.
- Cited 42 violations

EPA Announced New Drinking Water Health Advisories for PFAS Chemicals, June 15, 2022

<https://www.epa.gov/newsreleases/epa-announces-new-drinking-water-health-advisories-pfas-chemicals-1-billion-bipartisan>

The guidance aims to prompt local officials to install water filters or at least notify residents of contamination. But for now, the federal government does not regulate the chemicals. Health advocates have called on the Biden administration to act more quickly to address what officials from both parties describe as a contamination crisis that has touched every state.

“Today’s announcement should set off alarm bells for consumers and regulators,” said Melanie Benesh, legislative attorney at the Environmental Working Group, a nonprofit organization. “These proposed advisory levels demonstrate that we must move much faster to dramatically reduce exposures to these toxic chemicals.”

Since the 1940s, chemical makers have used the highly durable compounds to make nonstick cookware, moisture-repellent fabrics and flame-retardant equipment. But that same toughness against water and fire, which made the chemicals profitable, allowed them to accumulate in nature and build up in the body — with long-term health effects

Judge Finds EPA "Abandoned" Its "Backstop Role" for WA State, January 4, 2022

<https://insideepa.com/daily-news/judge-finds-epa-abandoned-its-backstop-role-state-cwa-criteria>

A federal district court judge has found EPA's denial of environmentalists' petition seeking new toxic aquatic life criteria in Washington state was arbitrary and capricious and represents a failure of the agency's statutory obligation to ensure state are complying with the Clean Waters Act... (full list of chemicals not being tested for can be found in the ruling).

Tire residue chemical in rain runoff kills fish in urban streams, research finds, March 16, 2022

<https://www.thestar.com/news/canada/2022/03/16/tire-residue-chemical-in-rain-runoff-kills-fish-in-urban-streams-research-finds.html>

A link between fish fatalities and such [tire] residue was first revealed in a 2021 paper that examined deaths of coho salmon in Washington state in streams subject to heavy rainfall runoff from urban areas. That paper concluded the kills were due to a chemical called 6PPD-quinone, a contaminant formed from the residue tires leave on roads as they wear.

From: [Michelle Mood](#)
To: [Planning](#)
Subject: Res. 40985
Date: Monday, July 18, 2022 1:34:33 PM
Attachments: [FINAL LU120125 COMMENT Van Holde.docx](#)

RE: Amended Substitute Resolution #40985
Consideration of a Moratorium on Heavy Industrial Uses
and Storage of Hazardous Materials within the South
Tacoma Groundwater Protection District (STGPD)

Greetings.

I am writing to ask the city to have a robust protective response within the South Tacoma Groundwater Protection District. As my prior communications related to LU21-0125 and other city decisions should have made clear by now, our future in Tacoma requires important "pivots" to planning so as to secure not only healthy and safe development, but also actual life itself. According to TPU, our water resource adequacy is impossible to meet in the next fifteen years without relying on the South Tacoma Aquifer (see their public publications). We must protect this resource. Please flex all your power to protect our future.

I refer you to the attached submission that includes vital information about environmental laws, environmental protection, environmental sustainability, environmental justice, health equity, and sticking to the new laws and resolutions that redress old wrongs. Thank you.

Thank you.

-Michelle and Steve

Dr. Stephen E. Van Holde (he/his)
Dr. Michelle S. Mood (she, her, hers)
(c) 740-233-6333

A boomer, not a zoomer.

**To: Shirley Schultz, Principal Planner
City of Tacoma
Planning and Development Services
747 Market Street, 3rd Floor
Tacoma WA 98402
Shirley.schultz@cityoftacoma.org**

Date: April 21, 2021

**RE: Comments on Bridgeport Tacoma 2.5 million square feet distribution center
construction Land Use Permit 021-0125**

From: Stephen E. Van Holde (and Michelle S. Mood)

EXECUTIVE SUMMARY

Thank you so very much for the opportunity to comment on LU21-0125. My wife Michelle S. Mood and I reside in one of the 975 homes that received a permit notice. My key points to be considered are a wide range of sometimes disconnected concerns. Apologies for the suboptimal presentation; this is due to the City of Tacoma not releasing the Soundview Biological Assessment and Soundview Wetlands, Fish and Habitat Assessment (often referred to as Wetlands Assessment in this comment) until March 29 (see Appendix 2a, attached). It is my hope that this Executive Summary will make my lengthy documentation more analytically accessible despite its less than ideal organization due to the time crunch. My apologies for a less-than-clear presentation of my concerns, and I thank you for your indulgence in reviewing these materials with suboptimal organization.

My foundational argumentation is embedded in three main threads and lead to sixteen requests (see below), all of which lead to my conclusion that **this permit application must be entirely denied**. The issues of climate sustainability, environmental justice and health equity cannot be sufficiently mitigated with this construction and the construction must not be allowed. Deny this permit, please.

Three foundational arguments underlying my requests:

1. The Construction itself must be reconceptualized to be in line with the state and city resolutions, directives, policies, and plans (One Tacoma Comprehensive Plan, Climate Action Plan, TPCHD Legislative Priorities, Environmental Action Plan, Climate Action Plan Next Moves: Implementation Actions, Directive of the Governor 19-18, RCW 43.21.030, Res.40776, U-11193, 40509, 40622, Municipal Code Title 13) as well as Critical Areas development.

- Impact of the construction on all the above-referenced goals must be calculated and included in permit application before decision by the City can be made.
 - o Without that information, all conclusions are speculative or simply wrong.
- Permit application materials must be corrected to resolve inaccurate and conflicting statements about the wetlands and stream classification and function before determination of significance and determination of public interest can be decided.
 - o Without that information, all conclusions are speculative or simply wrong, and assertions of "improved function" are nonfactual.
- Conceptual Mitigation Plan omits credible justification for size of construction, for the construction impact on Critical Areas and for the increased pollution load imposed on surrounding communities, fails to justify use of wetland buffering entirely, and fails to include any response to the policies of the Environmental Chapter of One Tacoma Comprehensive Plan (see Section II. C)

2. Determination of Significance and Determination of Public Interest in Critical Areas Development both must take into account the Tacoma Climate Action Plan, One Tacoma Comprehensive Plan (including Chapter 4: Environment), Tacoma Environmental Action Plan, and Tacoma Public Utilities Tacoma Water Resource Integration Plan.

- Water Resource Adequacy, Groundwater concerns and South Tacoma Aquifer Recharge all must be explored thoroughly before environmental impact can be determined
 - o Tacoma Water says it cannot meet resource adequacy without groundwater
 - o Impact on groundwater thus must be modeled and checked against projected need, and construction project must be modified to meet Resource Adequacy.
- Effect of the construction on Climate Action Plan and Climate Resilience must be modeled and the outcomes modified to meet the Climate Action Plan.
 - o Without that information, all decisions are speculative or simply wrong.
- Wetlands, Streams and Critical Areas preservation determination of "public interest" must take into account Chapter 4 of the One Tacoma Comprehensive Plan as well as the other chapters.
 - o Without doing so, One Tacoma Plan cannot be followed and the authority of the city in creating the One Tacoma Comprehensive Plan is undermined and delegitimized.
- Greenhouse gas emissions must be included in determination of significance in line with the City's zero emission goal.
- An Environmental Impact Statement must be conducted prior to the City's permit decision
 - o Without doing so, the permit decision will lack vital and significant information that is in the interest of the City and the residents.

3. Determination of significance must take into account the new Directives, laws, resolutions, and policy at the state and city level, including the response marshalled for amelioration of structural racist outcomes, health inequities, and environmental justice.

- This area is the most burdened by structural racist outcomes from decisions made almost 100 years ago, and, according to State and Tacoma City data, suffers the worst health equity and environmental justice. All impacts will deepen overburdened residents' health and environmental inequity. Preexisting inequities must be included in determination of significance.
 - o Pollution from EOZ zone construction must be modeled to determine the effect of increased asthma, low birth weight babies and cardiovascular deaths before evaluated as a benefit to the community.
- A Health Impact Assessment must be conducted prior to the City's permit decision.
 - o Without doing so, the permit decision will lack vital and significant information that is in the interest of the City and the residents.
- All construction must stop until the South Tacoma Economic Green Zone has rezoned and eliminated racist redlining zoning. Comply with Res.40622 Anti-Racist Systems Transformation)

These three broad points are supported in the dozens of pages of following material. In an ideal world, the supporting discussion would be organized into those three topics and all my 16 detailed points (below) would be analytical nested within. Sadly, this is not possible at this late date. Again, this is due to the late sharing of some of the most vital documentation. I hope and trust you can find as needed the supporting discussion in the accompanying materials and thus respond to these vital issues surrounding LU21-0125, all of which lead me to **request that this permit be denied.**

COMPLETE LIST OF DEMANDS:

After careful and detailed examination of the permit applications materials, thus, my complete list of demands prior to city ruling on this permit are:

1. Require an Environmental Impact Statement. Director cannot understand environmental impact nor calculate "public need and benefit" in Critical Areas development without this information. Traffic in particular is a significant impact that demands EIS.

2. Require a Health Impact Assessment. Traffic in particular is a significant impact that demands assessment. Director cannot calculate "public need and benefit" in Critical Areas without including this information. See Appendix 1, Figs. 2-6, attached.

3. Reconceptualize the project to be in line with the state and city resolutions, directives, policies, and plans (One Tacoma Comprehensive Plan, Climate Action Plan, TPCHD Legislative Priorities, Environmental Action Plan, Climate Action Plan Next Moves: Implementation Actions, Directive of the Governor 19-18, RCW 43.21.030, "Healthy Act For All," Res. 40776, U-11193, 40509, 40622, Municipal Code Title 13). Director cannot calculate "public need and benefit" without including this information.

a. "Anti-Racist Systems Transformation Resolution" (Res 40622) must be followed and thus no new construction until racist redlining zoning is redressed by adoption of the South Tacoma Economic Green Zone; One Tacoma requires PDS to promote clean and green industrial development; HEAL requires addressing environmental justice

4. In the assessment of public interest, public health, and environmental impact, the Builder must respond to all the policies in the One Tacoma Comprehensive Plan, including Chapter Four: Environment BEFORE the Director makes a decision in the matter of "public need and benefit" for a project in a Critical Area because Director cannot calculate without this information.

a. Credible justification of "reasonable use" and "public interest" must be provided (see Section IIC, below, for details of what is missing)

b. The Director must require the builder to reconceptualize the project to be in line with the Comprehensive Plan, even if that results in denial of permit, downsizing to as small as 100,000 square feet of warehouse, requiring electric hauling trucks, use of rail line instead of trucks, or other modifications.

5. Require a wetlands function assessment in order to calculate the functional improvement over the current benefits the wetlands provides; recheck wetlands C since all its functions are "moderate" and it could be a Category III with a 150 foot buffer. Director cannot calculate "public need and benefit" without receiving this and wetland mitigation cannot be in accordance with law without this.

6. Calculate construction impact on the Flett Creek/Chambers Creek water quality and quantity on the salmonid and other species downstream in order to assess environmental costs. Director cannot calculate "public need and benefit" without including this information and laws for mitigation cannot be followed without this.

7. Revisit the classification of Stream Z onsite (classified as "likely" Ns2 but Soundview's own Table 7 says it connects to Flett Creek, a fish stream and thus needs a 200 foot buffer; see Appendix 1, Figures 8 & 12, attached). Director cannot calculate "public need and benefit" without including this information and stream disturbance cannot be mitigated according to law without that information.

a. Perform an Invertebrate Community Index to evaluate stream health.

8. Review application materials with a fine tooth comb for errors and missing documents. No determination of significance can be completed without this, nor can the Director calculate

Public Benefit without including this information, nor can mitigation be lawful, nor can soil management be accurate.

a. Wetlands document is missing Appendix F Wetlands Ratings Map

b. Data list of species missing in Biologic Assessment and Wetlands, Fish & Wildlife Assessment.

c. Request justification for the 75 pages of the Wetland & Fish & Wildlife Habitat Assessment Document coming from an application submitted in 2007 (SEP2007-40000099829). Request the rationale for including material on wetlands prior to the intervening 14 years of nondisturbance.

d. Require the correction of all maps to include complete and accurate legends and markings (examples include all the wetlands documentation, which Dr. Siobhan Fennessy found incomplete, as well as Exhibit A Existing Conditions of Soundview, "Adjacent Ownership" is not only incomplete, but #1-9 of the legend are missing on the map entirely; the BNSF Tacoma Mitigation Viewport does not have the grey blocks or the wide black dashed lines explained (See Appendix 1, Figures 10, 11, attached); phone calls to Soundview have not been returned)

e. Use Table 7 of Soundview Wetlands, Fish & Habitat Assessment to identify Stream Z as connecting to Flett Creek, and thus requiring 200 foot buffer, not 75, since it is NOT Type Ns2.

f. Recognize that the Soundview Conceptual Mitigation Plan does not justify buffer averaging; does not meet the requirement that there is no feasible alternative. Deny buffer averaging plans unless adequate justification provided.

9. Provide data on quality and quantity of jobs and calculate total public benefit after factoring in the loss of greenspace, aquifer recharge, increased pollution burden, loss of potential community gardens, etc. Director cannot calculate "public need and benefit" or public health impact without including this information.

10. Require modeling upstream, downstream, cumulative and long-term impact 20 and 100 years out for total greenhouse gas emissions connected to the project and require project modification in line with Tacoma's climate change goals including the zero gas emission goal. This is vital information for understanding the significant impact of this construction and for the Director to calculate "public need and benefit."

a. Calculate carbon from the construction itself.

b. Require traffic assessment for proposed distribution center and modify construction to keep emissions and pollution in line with city goals.

c. Require modeling of impact on neighborhood urban heat island and include this effect in assessment of public health impact as well as "public need and benefit" calculations for Critical Areas development.

11. Require modeling impact on South Tacoma aquifer and cross reference impact to the requirement of groundwater use modeled in Tacoma Public Utilities Tacoma Water's 2018 Integrated Resource Plan (see Appendix 1a, attached); resource adequacy needs then must be required to trump development if adverse impact discovered.

a. Project must be modified or denied permitting so as to protect TPU resource adequacy.

b. Currently only two of the four buildings have infiltration systems for handling rainwater runoff (See fig 3 in TRC SMP). All must have clean infiltration to recharge the aquifer.

c. Calculation of environmental and health impact and "public need and benefit" requires this information.

12. Calculate impact on groundwater of compressing contaminated soil 7-11 feet deep since the water table is calculated at 7-25 feet deep (see TRC SMP Figure 6). Environmental and health impact cannot be calculated without this.

13. Require actual noise monitoring tests to be completed around the entire circumference of the project area before noise impact of the project is calculated; do not base it on the current estimations that involved no on-site measurements. Director cannot calculate Public Benefit without including this information.

14. Collect air pollution data around the entire circumference of the project prior to calculating increased air pollution load before health impact calculated. Director cannot calculate Public Benefit without including this information.

15. If the construction goes forward, reconfigure the construction to avoid placing the sublevel loading dock on the most toxic section of the Superfund site as is currently proposed.

16. If the construction goes forward, tasks crucial to the containment of contaminants from the Superfund site (especially the non-decommissioned parts) must NOT be left to disempowered workers to implement (as is currently proposed in the TRC Soil Mitigation Plan); do not delegate the following sensitive tasks to construction workers and construction overseers. Instead, require city employees to be on site at all times during soil disturbance to oversee the implementation of all aspects of the TRC SMP (after complete modification in response to government input, such as DOE, EPA, etc.) involving

a. dust amelioration (requiring ceasing construction when dust is moved by wind modified to a required 13 mph threshold for cessation of work as per National Weather Service Wind Speed Estimation Table [Appendix 1, Fig. 9, attached]),

b. cleaning of construction equipment after contact with contaminated soil above and beyond the SMP (which is currently insufficient),

c. discovery of discolored soil (requiring immediate cessation of construction until tested and test results returned as per the SMP),

d. air monitoring (which must be modified to be expanded to the neighborhood during all aspects of soil disruption, and test results must be daily).

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I. Responsibility to Perform an Environmental Impact Statement & Health Impact Assessment

Introduction

I am writing to you to share my strong objections to the proposed distribution center in South Tacoma. But, first, you will note that I have cc:d this comment to myriad city and state employees. Why? Because multiple branches of the city have been mobilizing in response to concerns from below, directives from above, and science from all quarters to address climate change, climate resiliency, environmental justice, and health inequity. Many of the staff I've cc:d lead departments or commissions that have been making new policy, creating new goals, and assessing the elements all institutions of authority need to embrace to meet their responsibilities to their citizens of Tacoma. And yet much of what they are trying to achieve can only be advanced by changes in the way your City of Tacoma Planning and Development Services office operates. Our community's 21st century goals for equity, inclusion, environmental justice, health equity, undoing racist structures, sustainability, and climate resilience could very well be held hostage by the decisions of your office.

Although I have deep roots in the Pacific Northwest starting from the mid-1960s, my wife Michelle Mood and I only bought our Tacoma home in 2020. We have been impressed by the diligent work done by all these myriad state and city offices to secure a livable and sustainable Tacoma. It seems each week we learn of a new commission or a new report, championing level-headed policies for climate resilience, health equity, green development, environmental justice and so on, providing grants for tree planting in heat island neighborhoods filled with poor and/or residents of color, increasing acreage managed by Green Stormwater Infrastructure, brainstorming food security solutions such as gleaning and community gardens, making healthy air quality goals, securing water resources thirty years out, and creating regular Climate Action Plans and Environmental Action Plans to bring this all together.

However, **none** of this is possible unless the Planning and Development Services Department changes to accommodate these urgent goals and plans. The Tacoma City 2030 Climate Action Plan forces us to confront the scientific truth that climate change requires a transformational response. "What do we mean by transformational? [It] can be described as causing a major change... In the context of climate action, it means **quickly and drastically changing our value systems, behaviors, governance structures, financial practices and technologies** so that our society can thrive without disrupting our climate or destroying our natural world." Is the city on board with that? Yes! **Mayor Woodards** pens an inspirational letter for the Climate Action Plan:

*Our community is at an important crossroads. In front of us we have a window of opportunity: we have strong new resources to build back better from the COVID-19 pandemic-recession and **repair a legacy of pollution and socio-economic inequality**. It's up to us to decide how we rebuild Tacoma – a community we all love and depend on. Together we can **rewrite outdated rules** and make bold investments for a better way of life. We can begin this work with our new Climate Action Plan.*

*By putting people first, **particularly those historically overburdened and underrepresented**, we can work together to meet the needs of all Tacomans. This Plan presents us with the opportunity **to advance social justice rather than reinforce past inequities** – especially when it comes to healthy, affordable housing, our transportation system, and **economy**.*

*We must **transform our systems at great pace and scale** to be carbon-neutral and **socially just** by major climate deadlines in 2030 and 2050 – or risk catastrophe.*

This is our turning point. We are committed to action for climate justice. (emphasis added)

Is this happening at the Planning and Development Services department? Not for this particular construction. Its placement is exactly in the “historically overburdened and underrepresented” community. This proposed construction will “reinforce past inequities.” This proposed construction is violating the spirit of Tacoma’s leaders. An EIS and Health Impact Statement are the most basic tools to use to assess environmental health inequity. I am asking you for both.

For more evidence of the city’s express commitment to the Climate Action Plan, **City Manager Elizabeth Pauli and TPU Director Jackie Flowers** include an inspirational letter right at the front of the Climate Action Plan and declare their commitment to Tacoma’s climate goals and policies and their intent to “**ensuring departments directors and managers embed climate and equity in every service, policy, program, project and contract.**” Has your office embedded climate and equity in this project? No. Did your office inform more than 975 residents of the proposed project? No. Did your office include neighborhood councils in considering this project? No. An EIS and Health Impact Assessment are being demanded, and you should do both as per city and state government expectations.

City Manager Pauli and TPU Director Flowers, do your job! Provide oversight to this project permitting and make sure it complies with the 2050 net zero greenhouse gas emissions goal, the 2021 Decarbonization Resolutions (Res.40776, U-11193), 2019 Climate Emergency Resolution (Res. 40509) as well as the 2020 Anti-Racist Systems Transformation Resolution (Res. 40622), which, you assure us, “**governs everything we do.**”

The City of Tacoma’s **2019 Climate Emergency Resolution declares that the threats of climate change “require immediate actions to** minimize harm to current and future generations and therefore constitutes a **public emergency.**” The City of Tacoma’s 2020 Anti-Racist Systems Transformation Resolution affirms the City Council’s commitment “to **comprehensive and sustained transformation of all of the institutions, systems, policies, practices and contracts impacted by systemic racism.**”

Unless the Planning and Development Services Department transforms, very little will change. The Mayor, the City Council, the City Manager and TPU have a job to do – demand change at the Planning and Development Services Department! The placement of warehouses nationwide deepens **environmental racism** (see the Consumer Report findings to that effect as reported here: <https://www.theguardian.com/us-news/2021/dec/09/when-amazon-expands-these-communities-pay-the-price>). This project demands a Health Impact Statement and an Environmental Impact Statement as the bare minimum for due diligence to meet our city’s vision and policies – both for climate and for justice.

Tacoma Water of Tacoma Public Utilities **cannot** meet our increased water resource needs that TPU climate modeling projects without the Planning and Development Services Department’s active help in managing permits that could affect aquifer recharge. The Planning and Development Services office **must** enable permanent green space and stormwater infiltration (not treatment and release). The Tacoma-Pierce County Health Department **cannot** reduce health inequity without more community gardens, green space, and control of emissions and noise, and so on. The City of Tacoma Office of Equity and Human Rights, which is “at the center” of the city’s “**commitment to transform government and anchor it in anti-racist practices and policies**” can do little if development replicates redlining racist zoning laws as this construction does.

Without their oversight and the involvement of elected officials and appointed experts, the City of Tacoma Planning and Development Services Department, operating independently and within the letter of the law, has the capacity to set the city on a tragically irreversible path that will violate all of these wonderful new plans and policies, some of which are vital for our key climate resilience and all of which

are supported by a democratic and inclusive process as the city charts a new path. A single, unelected city servant has outsized power to derail Tacoma's progress towards its goals of justice and climate resilience.

A. Explicit Policy

Quoting from the State of Washington SEPA website, *"The State Environmental Policy Act may be Washington's most powerful legal tool for protecting the environment. Among other things, the law requires all state and local governments to:*

- *"Utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in planning and in decision making which may have an impact on man's environment."*
- *Ensure that "environmental amenities and values will be given appropriate consideration in decision making along with economic and technical considerations...." (RCW 43.21C.030)*

"SEPA policies and goals supplement existing authorizations for Washington's executive, legislative and judicial branches including state agencies, counties, cities, districts, and public corporations. Any governmental action may be conditioned or denied pursuant to SEPA.

*"SEPA is intended to ensure that environmental values are considered during decision-making by state and local agencies... to promote efforts which will **prevent or eliminate damage to the environment and biosphere.***

"To meet these purposes, state SEPA rules direct state and local agencies to:

- *Consider environmental information (impacts, alternatives, and mitigation) **before** committing to a particular course of action.*
- ***Identify and evaluate** probable impacts, alternatives and mitigation measures, emphasizing important environmental impacts and alternatives (**including cumulative, short-term, long-term, direct and indirect impacts**).*
- ***Encourage public involvement in decisions.***
- *Prepare environmental documents that are concise, clear, and to the point.*
- ***Integrate SEPA** with existing agency planning and licensing procedures so procedures run concurrently rather than consecutively.*
- ***Integrate SEPA** with agency activities at the **earliest possible time** to ensure planning and decisions reflect environmental values, avoid delays later in the process, and seek to resolve potential problems." (emphasis added)*

Finally, "SEPA can be used to modify **or deny a proposal** to avoid, reduce, or compensate for probable impacts. "

The Tacoma Planning Department's own documentations mentions the most common SEPA triggers, and about half of them are part and parcel of the Bridge Industrial's construction plans. These include work occurring within critical areas and/or on lands wholly or partly covered by water" – yes!; construction of a building greater than 12,000 square feet – yes!; construction of a parking lot of more than 40 vehicles – yes!; fill and excavation of more than 500 cubic yards – yes!; stormwater, water and sewer utilities more than 12 inches in diameter – yes! **This must trigger an EIS.**

The builder (Tacoma Bridge Port, LLC) and you and the city offices involved are **not** following the above – you collectively have **not given "environmental values" "appropriate consideration"** but, rather, have focused on "economic considerations." You all have **not** "promoted efforts which will prevent or eliminate damage to the environment and biosphere **nor** "consider[ed] environmental information before committing to a particular course of action" by insisting no EIS is needed before mitigation plans. You all have **not** looked at "**cumulative, short-term, long-term, direct and indirect impacts**" at all. Instead, you have hidden behind

the legal zoning of preexisting 20th century zoning to drive 21st century decisionmaking against the express wishes of the South Tacoma Neighborhood Council and residents. You have **not** "encourage[d] public involvement in decisions," cutting out our city's Neighborhood Councils for more than a year of working on this project. It's **not** clear you have "integrate[d] SEPA at the earliest possible time to ensure planning and decisions reflect environmental values," possibly encouraging the potential buyer with the wonderful news that a similar project had already been permitted before – and without an EIS.

In fact, "SEPA requires the identification and evaluation of probable impacts on **all** elements of the environment." Neither the current SEPA Checklist for Permit Number LU21-0125 nor the 2008 permit (SEP2007-40000099829) your office mentioned as part of the reason you know so much you do not need to trigger an Environmental Assessment Statement for LU21-0125 has identified and evaluated the probable impacts on **all** elements of the environment. Even if the 2008 permitting process had done so (for which I cannot find evidence), a 32% larger construction requires careful consideration of cumulative, long-term, indirect impacts on all elements of the environment. In sum, too many logical steps have been leaped over to arrive with confidence at a preliminary or final determination of a Mitigated Determination of Non-Significance for LU21-0125 without an EIS.

Hence, it is evident that the City has **not** considered the **cumulative, shortterm, long-term, direct and indirect impacts** of the construction of Permit LU21-0125 Tacoma Bridge Port, LLC's 2.5 million square foot distribution center on **Tacoma residents, wildlife, water systems and indigenous tribes**, possibly due to over-reliance on the experience drawn from the woefully outdated 2008 information and ProLogis' mitigation plans found in SEP2007-40000099829 (for a construction that is 32% larger) to guide Bridges' 2021 SEPA checklist, and to guide your office's decision to (prematurely) preliminarily have a mitigated determination of non-significance for LU21-0125 based on this "institutional memory" from fourteen years earlier. Additionally, in 2021, neither city neighborhood councils nor residents were informed of the proposed construction of LU21-0125 until February 8, 2022, despite your office's involvement in 2021, and they had no involvement in the planning whatsoever, violating the policy "to encourage public involvement in decisions." Even the public meeting was only accessible to those with capacity to Zoom. A full EIS and Health Impact Assessment is necessary since the public demands it. Belated inclusion is better than what we have had thus far.

Impacts not yet considered for LU21-0125 include the multifaceted effects on the already poor **health equity** found in residents of the surrounding zip codes (including physical health as well as mental health and the increase in local population size); the distribution center's **increased air, noise and light pollution**; the effect on the **wildlife**, which has expanded in the last fifteen years but has **not** been surveyed; the impact of **rain diversion** on the underlying aquifer, the Flett Creek, the Chambers Creek, and the customary fishing areas of Nisqually and other tribes; the impact of rain diversion on salmon spawns; the longterm effect of lost **greenspace**.

Insufficiently considered impacts of LU21-0125 include the impact on local and regional **traffic**; the questionable ability of geoengineering (either from 2008 or 2021) to **handle climate-change-affected Tacoma weather patterns**; the **quality of water** in the underlying aquifer; the effect of Superfund **contaminated soil disturbance**; the treatment of the **stormwater and its infiltration system**.

Together, it is clear that there is a **solid chance for significant and severe impact on the environment**, triggering an EIS:

State SEPA rules defines "significant" as "a reasonable likelihood of more than a moderate adverse impact on environmental quality." The term "reasonable likelihood" means it is not

remote or speculative. The phrase “more than moderate” is based on intensity and severity; intensity depends on the magnitude and duration of an impact while severity is weighed along with the likelihood of its occurrence. An impact may be significant if its chance of occurrence is not great, but the resulting environmental impact would be severe.

There is certainly a **“reasonable likelihood of more than a moderate adverse impact on environmental quality”** considering the unexamined impact on the water recharging (see section II below), and other questions we will discuss below. The **Health Impact on our neighborhood’s vulnerable population** in the proposed location requires a Health Impact Statement. Additionally, the construction’s chance of unexpected release of contaminants to the surrounding lands during construction is not known to be “great”, but the resulting environmental impact on the surrounding residents **would** be severe and the impact is highly **likely** if it occurs. **A full EIS is necessary to determine what the impacts will be, and how to mitigate them to reduce impacts to a nonsignificant level or deny the permit entirely.**

B. Guidance and Goals from State and City Offices

There have been many new laws and initiatives enacted in the last year or so, some of which may not yet be enshrined in new directives to the Planning and Development Services department, but which must be considered for this massive project lest the City of Tacoma irrevocably is set on a path that violates both legislation and the transformative goals of that legislation. Much of the change in response to climate change and the recognition of systemic inequality and injustice will be **impossible** to enact if this 2.5 million square foot construction is allowed.

To begin, the City of Tacoma Economic Development Strategic Plan 2020-2025, that “will guide the City’s economic development focus,” takes as its foundational aim the goals of the Tacoma 2025 Citywide Vision and Strategic Plan, that is, *“equity and accessibility, economy and workforce, and livability,”* focusing on the two values of **“equity”** and **“prosperity.”**

The City of Tacoma’s mission is to achieve equity in service delivery, decision-making and community engagement. This mission requires a commitment to identify and eliminate underlying drivers of social and economic inequity within Tacoma.

This includes “livable neighborhood without physical barriers to economic opportunity,” which is also elaborated in the Strategy 8C to take **“quality of life** as a central asset of Tacoma’s economic development efforts” and to “enhance Tacoma’s livability.” However much these are goals, they will **not** be met unless the **city follows the Economic Development Strategic Plan to evaluate this South Tacoma project within the context of the inequities of health, economics, and society** as detailed in Section III, below. Key underlying drivers of social and economic inequity includes all the inequities of health and economics due to the 130 year practice of placing polluting industry in redlined areas, with the attendant lack of green space, and so on.

Sadly, the **Planning and Development Services department has not achieved equity in decision-making and community engagement**, either. The permit that was sent out may indeed have been legal according to past, noninclusive practice, but it was unintelligible to this dual-Ph.D. couple, and surely unintelligible to 99.99% of the 975 residents who were sent it. The South Tacoma Neighborhood Council and other neighborhood councils were also not included in the 14-month-long pre-permitting process – completely replicating systemic silencing of traditionally disenfranchised communities.

A further disappointing point is that the Planning and Development Services office itself has set up a neighborhood planning program, allegedly to

provide enhanced planning and development support to help communities create strong, vibrant and diverse neighborhoods... led by residents from the neighborhoods and

*informed by community engagement processes [to] consider immediate ways to **make your surroundings more livable**. The goal of a neighborhood planning process is not just creating and implementing a plan, the process itself is also a tool to help improve communities through **building community capacity**, constituent energy, relationships/partnerships, and **co-creation opportunities for residents to shape their own neighborhoods**.* <https://cityoftacoma.org/cms/one.aspx?portalId=169&pageId=12002>

These are pretty words indeed, but where was the inclusion of neighbors in creating the Oakland-Madrona neighborhood they want? Only 975 residents of the 27,000 people in that zip code were even informed by the city of this warehouse, let alone wider inclusion across the city. We need our Planning and Development Services personnel to walk the walk as well as talk the talk. An EIS and Health Impact Statement are necessary.

In my introduction, I discussed the imperatives the Mayor, City Council, City Planner, TPU Director and others have placed upon city employees to respond to the climate emergency and to transform all governance that has been impacted by systemic racism. Please review my list of the detailed tasks the city leadership, both through laws and pronouncements, has placed upon you. In addition to those mentioned in my introduction, I want to underscore a few **near-term, high impact Actions for the city to complete by 2024 as detailed in the Climate Action Plan Next Moves: Implementation Actions**. The actions are considered “high impact” because they

1. *Contribute to significant GHG (greenhouse gas) reductions and/or climate resilience;*
2. *Center current and historically underserved voices in policy design, development and implementation*
3. *Deliver significant co-benefits, such as improved health, safety, economy and jobs and affordable housing that lead to greater prosperity and endure for the long term.*

Additionally, this Next Moves publication states:

All actions must contribute to our anti-racist, just transition away from fossil fuels and must be implemented to increase benefits to and decrease burdens for our Black, Indigenous and People of Color and other frontline communities.

Naturally, all of the details for implementation are not yet in place, as the Climate Action Plan focuses on the **transformational imperative** to meet the climate change challenge, including calling upon the City Council and others to take the **appropriate authorization steps** to implement the Plan. However, just because these transformational course corrections to a more just and sustainable Tacoma are not yet legal imperatives the Planning and Development Services department must follow, this does not mean they should not guide PDS now. In fact, **if the PDS does not apply these new actions, goals, and plans to their permitting of this 2.5 million square foot distribution center, many of the equity and sustainability goals of the Climate Action Plan will be impossible to meet.** (See Sections III & IV, below).

The Planning and Development Department is central in this transformational process. Take a look at this list of near term, high impact actions required that will be, in fact, impacted by the permitting of the 2.5 million sq. ft. distribution center in South Tacoma:

STRATEGY FOR A BETTER TACOMA:

ACTION by Planning and Development Services: Develop a climate change ready urban landscape and habitat strategy that includes: updated critical areas and biodiversity maps, inventory and analysis of high priority habitats for protections, code recommendations, goals for enhancements and new protections (purchases or easements) and public engagement.

*ACTION by Office of Environmental Policy and Sustainability (OEPS): **update and adjust municipal code to encourage small-scale urban agriculture, community food-growing projects...***

*ACTION by OEPS and Stormwater Management: **Establish, fund and implement urban heat island mitigation strategies.***

*ACTION by Planning and Development Services to meet climate change goals, **require efficient zero carbon energy and green building certification and, by 2024, update land use zoning codes***

ACTION by Planning and Development Services to conduct a study focusing on flooding impacts... due to increasing intense rainfall events. Integrate findings into City development codes

*BUILDINGS/ENERGY ACTION to ensure that **new buildings meet net zero GHG standards**, Community and Economic Development with help from OEPS must create and support Sustainable Industrial and Manufacturing Collaborative/Roundtable*

*BREATHING ACTION Tacoma Power must support **zero emission technology** innovation in the marine, trucking and rail sector*

*LIVING ACTION Planning and Development Services to improve commercial energy codes to **reduce most fossil fuel use**. Require enhanced efficiency and health standards in coordination with Regional Code Council*

*GOVERNANCE and ENGAGEMENT ACTION: **effectiveness and equity in implementation will depend on promoting participatory and empowering approaches.***

*ACTION by OEPS ensure all climate action related stakeholder group and community engagement efforts are **inclusive of the communities most impacted by the climate crisis***

*ACTION by City Manager's Office (plus TPU plus OEPS): **advocate for county-wide planning policies that support GHG reduction, climate adaptation.***

***GREEN ECONOMY: support the city's transition to a green economy.** A key area for this is in the industrial sector, which accounted for 30% of Tacoma's 2019 emissions. For a socially just, green economic transition we need to support those transitioning out of fossil fuel jobs and focus on recruiting and retaining frontline community members to new, skilled, living-wage green jobs.*

ACTION by Community and Economic Development Office to incorporate green and equity elements into land development RFP/RFBs

*ACTION by Planning and Development Services Department to conduct zoning and development standard review for industrial lands to **promote clean and green industrial development** and ensure consistency of industrial uses with policies for economic development, public health, environmental enhancement and protection.*

Thus, the myriad goals of the Climate Action Plan and the new City Council Decarbonization, Climate Emergency and Anti-Racist Systems Transformation Resolutions behoove the Planning and Development Services department to rethink its development plans, revise its decision-making process, and transform its role within the city before committing (dooming?) our city to this monstrous construction.

At the state level, there have been additional transformations from doing "business as usual" to 21st century, climate-oriented, justice-sensitive actions. The Washington Legislature passed a law to create a **coordinated and inclusive approach to environmental justice** (RCW 70A.02) and soon after, the Washington State Department of Ecology created their **Office of Equity & Environmental Justice**. This Office leads the Department of Ecology's strategy to

“reduce pollution and health disparities in communities most at risk,” acknowledging not only “the reality that **certain groups are overburdened with pollution**” but that said groups **“most at risk from pollution and other environmental impacts need a voice in the development and enforcement of laws and regulations that affect them.”** Where is the voice for those to be affected by the Planning and Development Services decision to preliminarily determine mitigated non-significance in this 2.5 million square foot warehouse project? Only 975 residents were sent notices, despite the area of impact being all of the Nalley Valley for both air pollution and traffic. The Office of Equity & Environmental Justice also notes that **environmental justice is impossible unless “all communities can access information and decision-makers.”** Our elected and appointed officials have **not** been responding to email requests for action, explanation and comment. We need EIS and Health Impact work done!

Significantly, the Department of Ecology also has a new partnership with the EPA, the **Environmental Performance Partnership Agreement**, the purpose of which is to “re-commit to **maintain a core level of environmental protection** for all of Washington’s residents **in a manner that supports and advances environmental justice.”** <https://ecology.wa.gov/About-us/Accountability-transparency/Government-coordination/Partnering-with-the-EPA> **Where is the EPA and DOE’s support of environmental justice in this permitting process?** When we asked Piper Peterson of the EPA to address environmental justice issues, she redirected us back to the Planning and Development Services office. An EIS and Health Impact is needed for environmental justice and health equity issues to be fully addressed.

In fact, it is our conclusion that the construction should be denied permitted precisely due to the issues of environmental justice and health equity.

Another institution that is stepping up to support climate resilience work is the Washington State Department of Natural Resources. In the 2020 Climate Resilience Report, special attention was paid to groundwater. The Commissioner of the DNR has directed agency leadership and staff *to take all practicable steps within our existing authorities and as guided by DNR’s Plan for Climate Resilience to incorporate climate change considerations into all relevant decisions, policies, procedures, and operations including, where relevant, into legal, policy, and guidance documents.* <https://www.dnr.wa.gov/climate-change>

This is vital considering the TPU Tacoma Water Resource Integration Plan requires increased groundwater use (see my Section IV, below).

Furthermore, the **“Healthy Act for All” (HEAL) was passed by the Washington State Legislature in 2021, creating a “coordinated and collaborative approach to environmental justice,”** taking the **“historic step toward making environmental justice a priority and part of the missions of key state agencies”** (including the Department of Ecology, among others) to **“identify and address environmental health disparities in overburdened communities.”** The **purpose** of this environmental law is to **“ensure environmental reviews, funding decisions, and permitting decisions identify and address environmental health disparities.”**

<https://ecology.wa.gov/About-us/Who-we-are/Environmental-Justice/HEAL>

Since the Department of Ecology is even now in the process of incorporating environmental justice assessments into their work, it behooves the City of Tacoma to **avoid any drastic and irrevocable decisions that will undermine or even completely destroy attaining the goals of HEAL.** Once that 2.5 million sq. ft. warehouse is built, how can our government **“reduce environmental harms and address environmental and health disparities in overburdened”** South Tacoma? **At the very least, an EIS and Health Impact Assessment must be performed, but this construction should not be permitted**

at all. If the City of Tacoma Planning and Development Services does not respond now by taking into account longstanding environmental health disparities and the key direction of change that the State of Washington is demanding, the South Tacoma communities will be forever locked into a deepening health inequity. Thus this permit should be denied.

Indeed, there are more transformative actions are needed to meet directives from the State. The Directive of the Governor 19-18 (December 19, 2019) confirms that **SEPA requires assessment of climate change impacts** and that the Department of Ecology must issue new rules “to strengthen and standardize the consideration of climate change risks, vulnerability and impacts in environmental assessments for major projects with significant environmental impacts.” The old ways are changing; the Tacoma Planning and Development Services department should tread very carefully when considering a 2.5 million square foot distribution center needs no Environmental Impact Statement or Health Impact Assessment.

In fact, the Department of Ecology’s new rules “for cumulative environmental assessment and reporting” should include **20-year and 100-year global warming potentials for all greenhouse gases attributable to the project**, an assessment of any induced load or **growth in fuel or energy consumption**, criteria for **assessing upstream and likely downstream lifecycle emissions** attributable to the project, **including indirect effects**, and methods, procedures, protocol, criteria or standards for mitigation of greenhouse gas emissions as necessary to achieve a goal of **no net increase in greenhouse gas emissions attributable to the project**” (emphasis added).

While the SEPA emissions rule is not yet in effect, it confirms the **core components of Governor Inslee’s directive and the requirements of the SEPA statute**: that LU21-0125 SEPA **analysis for climate effects extends to the entire lifecycle, including the emissions, lights, generators/refrigeration, trucks, and the carbon load from all the concrete** and cement that will be used in the new parking lots, sidewalks, pavements, roads, and foundations for 2.5 million square feet of building space – 125 acres’ worth. Cement makes up 8% of overall global emissions (*Nature*, 9/28/2021), producing 0.93 pounds of CO₂ for each pound of cement, according to the National Ready Mixed Concrete Association (<https://www.nrmca.org/>). An EIS is necessary to calculate and weigh this.

Hence, the current LU21-0125 SEPA Checklist is **iremediably deficient** in that it **fails to adequately disclose the direct, indirect, cumulative and long-term effects** associated with this construction. This limited disclosure does **not** meet SEPA’s statutory or regulatory standards and is wholly inadequate to make a threshold determination.

Moreover, the Tacoma Municipal Code, Title 13, requires that **primary** consideration of the land use of property in the South Tacoma Groundwater Protection District should be for that protection. The area is “designated as an environmentally (geohydrologically) sensitive area.” <https://cms.cityoftacoma.org/cityclerk/files/municipalcode/Title13-LandUseRegulatoryCode.pdf> Thus the City has a vested interest in an independent evaluation of the effect of paving over 75% of the area involved in Permit LU21-0125. Additionally, the proposed construction seems to violate the obligation of the “Water Resources Streamflow Restoration Program Agreement Between the State of Washington Department of Ecology and Tacoma Environmental Services Department,” since all stormwater modeling must maintain sustainable regional green infrastructure facilities to “retime seasonal high-flows through storage and aquifer recharge.” <https://cms.cityoftacoma.org/cityclerk/Files/CityCouncil/Agreements/IntAgr-%20Washington%20Dept.%20of%20Ecology-2021-TacoES-00004.pdf>

In fact, since this construction will pave over empty land with four wetlands and a stream that together help recharge the South Tacoma aquifer, an EIS is necessary to calculate the effect on that over the **next 20 and 100 years**. On the Tacoma-Pierce County Health Department’s

website, they inform the public that *"We help protect the City of Tacoma's drinking water. South Tacoma Groundwater Protection District (STGPD) sits above the South Tacoma aquifer. Groundwater typically supplies about 5% of Tacoma's water in the summer and supplements the supply from the Green River at other times of the year. Groundwater from this aquifer could supply up to 40% of Tacoma's drinking water."*

[https://www.tpchd.org/healthy-places/waste-management/business-pollution-prevention/south-tacoma-groundwater-protection-district?fbclid=IwAR0-](https://www.tpchd.org/healthy-places/waste-management/business-pollution-prevention/south-tacoma-groundwater-protection-district?fbclid=IwAR0-BkjaHR1LOxDmiDxk4bfzAhPqslsXo6NAOIhZFFMDxHySuiUOwNmgMdc)

[BkjaHR1LOxDmiDxk4bfzAhPqslsXo6NAOIhZFFMDxHySuiUOwNmgMdc](https://www.tpchd.org/healthy-places/waste-management/business-pollution-prevention/south-tacoma-groundwater-protection-district?fbclid=IwAR0-BkjaHR1LOxDmiDxk4bfzAhPqslsXo6NAOIhZFFMDxHySuiUOwNmgMdc) Since TPCHD makes it clear Tacoma relies on this water, **we need to have an EIS** to make sure what the effect would be from a 2.5 million sq ft distribution center that creates 125 acres of impermeable surface, or about 75% of the area. **If that's not a "significant impact," what is?**

Furthermore, the Washington State Department of Natural Resources put out a new Climate Resilience Report two years ago, including special attention to (no surprise!) **groundwater** (<https://www.dnr.wa.gov/climate-change>). TPU's own Water Shortage Response Plan (2018) reveals that *"Tacoma Water's South Tacoma wells are another important source of water and are typically used for peak water demands during the summer."*

<https://www.mytpu.org/wp-content/uploads/watershortageresponseplan0219.pdf>

(See also Section IV, below) **Given the vital status of groundwater in our climate emergency, TPU and TPCHD should be calling for an EIS; in lieu of that, we do!**

Another directive to city planners comes from the **City of Tacoma Office of Equity and Human Rights**, an office that has been at the forefront of **"the City of Tacoma's commitment to transform government, and anchor it in anti-racist practices and policies,"** working to support all City departments to create Racial Equity Action Plans for the 2021-2022 biennium. <https://www.cityoftacoma.org/cms/One.aspx?portalId=169&pageId=115422>

Where is the evidence that the City's Planning and Development Services offices have been part of this anti-racist governmental transformation? **How can this preliminary determination of non-significance, this denial of early inclusion in planning, be anchored in anti-racist practices and policies when the sufferers of the increased air pollution are precisely the already overburdened and historically un-voiced poor and people of color? Clearly they have not. PDS must remediate that and have a full EIS that takes into account all the new policies. Better yet, it should reject this permit.**

Again, we understand that much of the transformation of governance is in early days, but that is all the more reason that such a **massive project** needs **full assessment of the impact** as per the directives, laws, resolutions that are now advocating radical change towards climate resilience, environmental justice, and health equity. **All this makes the requirement of an EIS and Health Equity Statement downright overdetermined!**

In addition to the Climate Action Plan, the city's new emphasis on equity, community engagement, anti-racism and redressing systemic inequalities, the city also has an Environmental Action Plan. Mayor Woodards graced the 2020 Progress Report of the Tacoma Environmental Action Plan: 2020 Progress Report with an even more inspiring letter. This time she wrote, despite "significant progress," **"more equitable, ambitious and urgent actions will be required to help mitigate the impacts of a changing climate."** The Environmental Action Plan was developed in 2015 to focus on six categories of sustainability; those most relevant to the permit under consideration include natural systems (acquiring and managing natural areas to contribute to climate change resilience, such as green spaces, which can positively influence mental and physical health) and clean air and local food. The 2020 Progress Report shows we in fact missed the goal for "actively managed open space ecosystem habitat."

In the Action section of the 2020 Progress Report, the **City Council was directed to “implement code”** for the “South Tacoma Manufacturing and Industrial Center” to “discourage development on lands where such development would endanger life, property or infrastructure or where important ecological functions or environmental quality would be adversely affected” (p.5). **An EIS for LU21-0125 is necessary to make sure important ecological functions and/or environmental quality would not be adversely affected. If they are, the project should be blocked or severely modified accordingly.**

Other relevant action items in the Environmental Action Plan include the urban forest management plan (which strengthens climate resiliency, enhanced ecosystem services and benefits), green stormwater plans, and open space program based on watershed planning. **Does the new construction comply with these actions? No. It paves over open space, takes down mature trees, and its stormwater treatment is not green** (see section II). Nor has the true impact of its stormwater been assessed. **An EIS is needed for that.**

In fact, the Health Equity Report by CoLab points out that local government offices can improve health through the built environment when they “**establish more green spaces**” (which “help improve mental health and appear to lower crime [and] obesity [and] depression”), “invest in spaces for communities to practice community or sustainable farming,” and increase social connectedness via community gardens, which increases mental health and well-being.” **This land should be retained for green space to help redress systemically burdened population’s health inequality and environmental injustice. Our neighborhood needs clear, green space and green industry jobs, not an industry that will hurt us more.**

The **Tacoma-Pierce County Health Department** has published its **2022 Legislative Priorities**, two of the four of which underscore again the shift in the direction of our city from business-as-usual to one responding to the newfound awareness of **inequities and the climate emergency**. One priority involves respiratory factors and disease and frames it as part of both climate change and race – yes, air pollution (which would be increased by this construction) is an issue, but the effects are disparate by race, while the adverse health effects of climate change will impact communities of color hardest. Another priority zeros right into “Equity and Justice.” “racism is a public health crisis. Support equitable and anti-racist policies, systems and environments. Enact policies to eliminate the root causes of racial and health inequities. Reduce racial health disparities,” especially Black infant health and cardiovascular disease inequities. **A Health Impact Assessment would uncover the impact of the 2.5 million square foot distribution center on the surrounding poor communities of color which already have deep racial health inequities.**

In addition to the above government policy changes that push your office to perform an EIS to identify and quantify significant environmental impacts and health impact in the new era, there are many others. **The City currently has many initiatives and offices related to environmental issues, and this proposed construction would compromise, forestall, or violate many of those initiatives.**

For example, the city is only just now completing its Watershed Prioritization work (Phase Two of its Urban Waters Protection Plan). To start an enormous construction project on top of the city aquifer that supplied 5% of backup water in 2021 and could supply up to 40% of the city’s backup water in decades hence **before** Phase Two is completed is unwise at best, and simply unworthy of the City of Tacoma. **What will the aquifer supply in 100 years?** Aquifer impact must be modeled, calculated and assessed before we can even start discussing Public Interest. The entire City of Tacoma’s climate resilience could be destroyed. **We need a full EIS.**

South Tacoma citizens have mobilized to create the South Tacoma Groundwater Protection District and to propose a South Tacoma Green Economic Zone, first to the South

Tacoma Neighborhood Council (STNC), who then took it to the City of Tacoma Planning and Development Service's own Planning Services Division – which now is on record as having no concerns about this proposed zoning change to protect our future. The Planning Commission has a two pronged timeline for addressing the proposed amendments to the city land use codes to create a South Tacoma Green Economic Zone (as noted in Draft Minutes of Tacoma Planning Commission meeting, Wednesday, January 19, 2022, 5:00 p.m). **This construction would destroy the South Tacoma Economic Green Zone entirely.** Since the City of Tacoma did **not** include the STNC in planning, it has violated the requirement to involve the public in planning. The City clearly knew at the same time there were competing visions of South Tacoma – one a huge 2.5 million square feet 20th century-style development, the other a vision of sustainable, green, eco-industrial development. **Never once informing the STNC of the proposed LU21-125 all of 2021 was a clear violation of the State Environmental Policy Act and just inclusivity. All construction must be paused until new zoning is enacted that redresses racist redlining.**

Tacoma also has a **Passive Open Space Plan**, working to restore and maintain open space, but such spaces already seem concentrated in the zip codes with the higher incomes, leaving Oakland behind (see https://www.cityoftacoma.org/UserFiles/Servers/Server_6/File/cms/enviro/OpenSpace/GeneralMap_Updated10_21.pdf). The city of Tacoma has an **Urban Forestry Management Plan** as well, with the goal of the Urban Forestry Program to increase the tree canopy cover from approximately 20 percent (based on a 2018 analysis) to 30 percent in 2030. They say, "This will be achieved by planting trees with help from partner organizations and community members and **by preserving existing healthy trees**" (emphasis added) (<https://www.tacomatreeplan.org/>). What better way to safeguard the tree canopy cover than to seize this opportunity to preserve existing tree coverage, not increase industrial buildings, pave over more land, and create more carbon consumption? As the city of Tacoma website notes, "Adding... trees to neighborhoods is proven to help keep places cool during the hottest days, manage stormwater runoff, slow neighborhood traffic, provide mental health benefits, and so much more" (<https://www.tacomatreeplan.org/>). Yet, the current "20%" existing coverage is mostly far from the Oakland-Madrona area of Tacoma (try your own Google Earth screenshots), and building more industrial facilities in the area will only worsen this environmental injustice.

Indeed, it is clear that this planned development ignores the stated interests of Tacoma's residents. As you no doubt know, **Tacoma's Watershed Management Plan got community feedback from the 2019 Tacoma Tree Plan engagement, the 2020 Tacoma Community Survey and Biennial Budget engagement, and the 2021 Tacoma Climate Action Plan Engagement regarding the importance of preserving greenspace for all of Tacoma's residents.** This huge new development will therefore ignore our citizens expressed desires to protect green spaces and safe places to enjoy nature. And by paving over so much of the remaining grassy space in our already heavily impacted neighborhood, it will increase temperatures, decrease soil permeability, and violate Tacoma's climate action plan (see <https://www.tacomaurbanwatersheds.com/watershed-management-plan>), a plan that is essential for the sustainable growth of Tacoma and the well-being of all Tacoma residents.

The City of Tacoma Planning and Development Services says they "partner with the community to build a livable, sustainable, and safe City by providing strategic, timely, predictable, cost-effective planning and development services with a culture focused on community engagement, customer service, creativity, accountability, and continuous improvement." There is nothing livable, sustainable or safe about this proposed construction, and it will undermine its proclaimed goals of community, health, walkability, and sustainability (see the 2025 Strategic Plan <https://tacomapermits.org/wp-content/uploads/2018/11/PDS-2025-Strategic-Plan-FINAL.pdf>).

For all of the above reasons, building in this area would be unwise and unjust. We strongly urge you to reject this irresponsible plan.

C. 2007 Permit

The current application includes 75 pages from the 2007 1.9 million square feet ProLogis proposed warehouse. In February, Shirley Schultz on a phone call with Michelle justified the preliminary determination of mitigated non-significance partly based on 2007 1.9 million sq. ft. ProLogis warehouse application that had previously been fully permitted. In writing, Shirley answered that the 2007 file "was provided to the current application and all reviewing staff during the [LU21-0125] pre-application process. Key to that [2007] decision were the comments received from staff experts and reviewing agencies." Thus, both Bridges Industrial and all city staff were given the "official record for the 'old permit" [with] decision and attachments." However, Shirley did clarify that "may have been a little bit of a rabbit hole for you. This current application is being reviewed on the materials the applicant has submitted." Still, it is worth keeping in mind the influence of SEPA2007-40000099829. **After all, the Bridge Industrial LU21-0125 application repeatedly refers to it and even includes 75 pages from it in the Soundview Wetlands Assessment. And, in fact, if a 1.9 million square foot warehouse complex had been approved in 2007 without an EIS, why wouldn't the city say with confidence that a 2.5 million sq. ft. warehouse would sail through?** Indeed, Bridge Industrial publications and advertisement assure potential occupants that construction will start August, 2022.

The next section, while broad in scope, does extend the discussion of the re-use of 2007 materials for the 2021 permit application. (For email screenshots, see Appendix 2, attached) For example, the Stormwater Report says conditions are unchanged from 2007, and uses the 2007 material directly, and the Soundview Wetlands Report "Existing Conditions" ends with this: "A previous Wetland and Stream Delineation Report was conducted by Grette Associates in July 2007... Given the age of the delineation, a new delineation was required... The proposed project was previously fully approved through the City of Tacoma SEPA Determination of Nonsignificance and Permit Decision (WET2007-10000099831, MLU2007-40000099830, and SEP2007-40000099829) on December 19, 2008 (Appendix H)." Appendix H is the 75 pages of the prior permitting information. The information of the permit approval at the end of a "Existing Conditions" section is unexplained. Is it implying that this permit will also have a "DNS" merely by association?

II. Problems in the Bridge Application Materials

SEPA Checklist

The SEPA checklist is vague and tentative and at times contradicts with the supporting materials such as the TRW Soil Management Plan and the Soundview Conceptual Mitigation Report. It was so unclear I went to the TRW Soil Management Plan and the Soundview Conceptual Mitigation Report. We saw that the submitted materials shared with the public were woefully insufficient. Finally we discovered in the SEPA Checklist a mention of a Soundview Biological Assessment Report and Soundview Wetland & Fish & Wildlife Habitat Assessment Report (which I usually refer to as Wetlands Assessment), and reached out to your office to get those two. Sadly, as mentioned above, I did much of this comment thinking we had all the materials. Once we got the two Soundview reports, I used them as informative rather than the SEPA Checklist. I do not have time to address the SEPA Checklist point by point before the deadline for comments arrives. Thus, I have directed my attention to the insufficiencies of the supporting documentation rather

than the SEPA Checklist. You'll notice that the SEPA Checklist is unclear what happens to the displaced rainwater – is it infiltrated, or is it treated and released into the stormwater system?

The SEPA Checklist doesn't appear even to have read the Soundview Conceptual Mitigation Plan it references in answer to the question "Will the project require any work over, in, or adjacent to (within 200 feet) the described waters?" The answer given is: "No direct, permanent impacts to the identified wetlands or stream are proposed. However, the proposed industrial development will be located adjacent to the identified critical areas and associated buffers.... Such actions will result in only minor, temporary impacts." However, the Soundview Mitigation Plan will actually relocate over a thousand feet of the stream! It will build right next to the wetlands! (see below).

Flaw in "Economic Unfeasible" Argument

The Soundview report "Conceptual Mitigation Plan: BNSF Tacoma" insists there is no practicable alternative (1.15 A.) and **asserts with no evidence** that "the goals of the project cannot be accomplished by a reduction in the size, scope, configuration or density as proposed, or by changing the design of the project in a way that would avoid or result in fewer adverse effects on the Critical Area... Complete avoidance of critical areas is not possible due to the spatial requirements necessary to make the industrial development economically feasible" (1.15 A. 2). It is **alleged** that "any further reduction in warehouse size would render the project economically unfeasible, and the associated infrastructure (parking, stormwater) is the minimum necessary to support an industrial development of this scale" (1.15 A. 3) and that "the proposed development is the minimum necessary to make use of the site economically feasible and valuable. The proposed development has undergone several revisions in design to reduce impacts to critical areas, but any further reduction in warehouse size or infrastructure would make the project economically unfeasible" (1.15 B).

Such assertions ring false when we remember that this proposal draws heavily on the 2008 permitted construction (SEP2007-40000099829), that was for only 1.9 million square feet. **By increasing by 32%, the owner has undermined their own logic that their 2.5 million square feet construction is the "minimum necessary to make use of the site economically feasible and valuable."** The Permit LU21-0125 materials **assert but present no evidence** that the permit must be for a 2.5 million square feet distribution center and no evidence why it is necessary to be that big, except that it notes the "entire western portion of the site is encumbered with critical areas and associated buffers," which was surely known when the property was purchased. **Why** does the new project have to be 2.5 million square feet, not only involves disturbing a Superfund site but also an FWCHA, with impacts on the aquifer and Flett and Chambers Creek? **It does not.** This new proposal should be required to **whatever size is necessary** to protect surrounding biomes. This is **particularly salient given the considerations of health equity, environmental justice, and climate issues 20 and 100 years down the line, all of which would be less impacted by a radically smaller project.**

Given that the same property was proposed to have a 32% smaller sized project, this assertion about "no practicable alternative" is not based on factual evidence at all. The mitigation proposed affects the Critical Areas and the Director must evaluate that based on Public Interest. Missing information makes this impossible without additional assessments. Additional details of the "necessity" of the details of the mitigation plans are discussed below in C: Soundview Conceptual Mitigation Plan.

Missing Information

There are also gaps in assessment and evaluation.

First, the **noise report** is based on generic publications and tables of averages for average type of noise, and then compares that to the expected noise. Bridges must hire a company that **actually takes noise level readings for their calculations before they can conclude what the change in noise levels will be**. It is extremely quiet where I live. When it's hot we sleep with the windows open and nothing disturbs us. Measurements must be taken from all points of the compass, around the entire circumference, at busy times of the work week, and in the middle of the night, and on weekends. The difference between proposed noise (about 90 decibels) and current, actual noise must be known for any claims about impact to be made.

Second, the **wetlands function test is completely missing**. There is no way for Bridge Industrial to claim as they do that there will be an increase in function unless a baseline function is known. Additionally, wetlands C has "moderate" function but is categorized as Level III instead of Level II.

Third, as noted in Request 8.d. above, there is missing information in the **maps**.

Fourth, several scientifically **unsupported conclusions** about the proposed changes to the wetlands undermine key aspects of the wetlands and stream plans such as alleged increased health and function.

Fifth, the **impact on both the aquifer and the downstream salmon is not sufficiently examined**; construction itself could damage both the aquifer and the health of Flett Creek and Chambers Creek; only two buildings have stormwater infiltration planned.

Sixth, the list of contractors on p. 11 of the TRC SMP does not indicate whether all the contractor employees speak English and feel empowered to stop construction as required in TRC SMP Appendix A: Health and Safety Plan, rendering the surrounding community vulnerable if construction is not stopped when required by contractors.

Seventh, "clean soil" is mentioned as key but where is it to be brought in from, when all the property's soil is contaminated, and the SEPA Checklist says "source of fill is unknown."

Eighth, of the Superfund site, only Soil Operative Unit 3 is delisted (TRC Appendix A, p.1); what about the other, non-delisted areas?

A. Storm Drainage Report

In the Storm Drainage Report, only two of the four buildings have storm infiltration (see TRC Soil Mitigation Plan Appendix A, Figure 3). Building A lacks one, and is below the steepest part of the hill; Building D lacks one and is right next to the repositioned stream. **All buildings must have infiltration of cleaned stormwater.**

The Storm Drainage Report relies on the 2007 permit. The 2022 report that *"the stormwater site plan (SWSP) was prepared for this site and approved under SEPA file No. SEP2007-40000099829. The SWSP established the existing hydrology of the site including the base flood elevation, wetland hydrology and a proposed stormwater management approach. This reports served to maintain the conclusions outlines in the approved report [inSEP2007-40000099829] while updating the calculations and stormwater management approach to current City of Tacoma standards"*. In Chapter 3 Offsite Analysis, 3.1 Qualitative Analysis, the Storm Drainage Report says that the current 2021 work was to be found in the 2007 SEPA File: "An off-site analysis was performed and approved under approved SEPA File No. SEP2007-40000099829. See the attached section of the [SEP2007-40000099829] report in Appendix E from that previously approved SEPA submission. The existing conditions have been determined to be unchanged from the previous submission." Hence, limited additional work was performed for a project fourteen years later, 32% larger, covering nonidentical parcels of land, and involving drastically different construction. The runoff has to have some significant differences. In addition, new climatic change may indeed change any conclusions about the

impact of this huge construction. **Complete and careful Storm Drainage calculation that does not rely on 2007 work must be done before Director can calculate Public Benefit.**

B.Soundview Wetlands, Fish & Wildlife Habitat Report and Soundview Biological Evaluation

In this section, I try to outline the issues raised by these two Soundview reports. For context and understanding the wetlands and stream discussion below (in section "B"), it is important to know that the Soundview Conceptual Mitigation Plan (discussed in "C") requires more than 1000 feet of the onsite stream to be relocated, and reduces the buffer on the wetlands, including removing some trees and bushes.

- Stream Classification Errors

The classification of the stream on the property is the foundational block for the building footprint, as it determines the required buffer, and yet this Soundview Wetlands Assessment report conclusions and executive summaries does **not** use its **own** actual assessment of the stream (found in Table 7) in their discussion of the stream. SoundView Wetlands Assessment Table 7 says that **"Stream Z ...conveys with Flett Creek."** This means it is not a Type Ns1 with a 25 foot buffer! It may need as much as 200 feet of buffer!

Instead of using their own Table 7, Soundview mentions database mapping and inventories, rather than checking themselves. In their conclusion in 5.2 Streams, the strongest statement as to stream type based on maps and inventories is that "the channel is likely a Type Ns2 stream." This ignores Table 7! I see no evidence that Soundview actually paid attention to its own classification!

In its Soundview Wetlands Assessment Table 7 Stream Summary – Stream Z, we are told that "Stream z originates approximately 0.62 miles northwest of the subject property at Snake Lake. **Stream Z flows southwest to south through the property, continuing offsite to the south and conveys with Flett Creek, 1.67 miles south of the subject property. Flett Creek eventually discharges into the Puget Sound."** This means it cannot be a Type Ns2 stream!

In the Executive Summary of the Soundview Wetlands, Fish and Wildlife Habitat report, it notes, "Stream Z is identified as a tributary to the South Tacoma Channel (Fleet Creek [sic]) by the City of Tacoma and is **recognized** as a Type Ns2 stream with a 25 foot buffer per TMC 13.11.500.B.1 Table 6." It is recognized as it, or is it?

"Recognized as a Type Ns2 Stream"? By whom? Soundview Consultants are supposed to conduct their environmental assessment. They appear to have, and posted those findings in Table 7, which determines that this stream conveys to Flett Creek.

It appears that Soundview may have based this on the 2007 categorization. Just today, April 21, dozens more documents appeared in the permit application on the City's website. Perhaps in that we would find the first Conceptual Mitigation Plan that did was not a resubmittal. Perhaps we might find the stream required more than a 25 foot buffer. We don't have time to check. However, one piece of the puzzle is to be found in the Soundview Wetlands Assessment in Section 4, Existing Conditions. The **Existing Conditions** section has a subsection 4.6 **"Prior Critical Areas Assessment"** in which it **repeats classifications done in 2007! Those are not "existing conditions."** In fact, we are directly told that all of those findings from 2007 do **not** apply any longer because **"given the age of the delineation, a new delineation was required.** Additionally, the wetland ratings system has been updated, and several changes to the local code have occurred since the original 2007 delineation." **So why are we being told of this outdated delineation conducted under other rating**

systems and code? This “existing conditions” section ends oddly ends with the **apparent** non sequitur that the “proposed project was previously fully approved through the City of Tacoma SEPA Determination of Nonsignificance and Permit Decision (WET2007-10000099831, MLU2007-40000099830, and SEP2007-40000099829) on December 19, 2008 (Appendix H)” (p.7). That is the first mention of a “proposed project” and it is not further explained.

It is only on Chapter 5 Results that the reason for this drumbeat of the 2007 project becomes clear. In Results we are finally going to get the information on the actual assessment of the stream. And yet, there is no new data or information on this stream. Instead, we are told:

the channel is likely a Type Ns2 stream (waters not connected to a Type S, F or Np water). This Type Ns2 determination was previously approved by the City of Tacoma through a SEPA Determination of Nonsignificance (SEP2007-40000099829) and Permit Decision (WET2007-10000099831 and MLU2007-40000099830) on December 19, 2008.

Thus, the logic is: Based on delineation too old to be used today, a permit decision in 2007 said this stream was Type Ns2, and so we're going to say it's likely that it is too.

Let me repeat: **“the channel is likely a Type Ns2 stream.”**

Why did Soundview not use its own delineation in Table 7? After all, the 2007 delineation was too old to be used! And even the Existing Conditions notes that “the wetland ratings system has been updated and several changes to the local code have occurred since the original 2007 delineation.” Can repeating again and again the 2007 City decision create the illusion that a new assessment of the stream can be ignored? No! Table 7 tells us the stream flows and conveys with Flett Creek, which is a fishing creek, thus classified as Np.

Thus, Stream Z is not Type Ns2 stream. It does connect to an Np water. Buffers must be enlarged to comply with state policy.

All the schematics and plans must be drafted to comply with the new stream buffer. This is crucial to the placement of the LU21-0125 buildings. Nothing can be finalized until the builder accommodates the fact that the stream is NOT Ns2.

- Insufficient Wetlands/Stream Analysis and Research

The waters have not been appropriately analyzed. There is as yet no basis for the permit's claim that the waters will be healthier, with “increased functions” (SEPA Checklist p.10)? There is no testing done to determine the current health of the waters. There are no other measurements and biological markers. There is not a current assessment of aquatic life (fish and insects, etc). The SEPA Checklist refers to the lack of effect on steelhead trout and chinook salmon based only on the 2008 permit (SEP2007-40000099831) as if 14 years would have no effect! They didn't even examine the biomes (water and riparian). The Soundview biological evaluation was also incomplete, lacking all of these details. No Invertebrate Community Index was done. These are the headwaters for Flett Creek and Chambers Creek, salmon spawning waters, and need special care. The USDA Natural Rivers and Streams Assessment underscores that riparian areas are vital to biodiversity:

In the western United States, riparian areas comprise less than 1 percent of the land area, but they are among the most productive and valuable natural resources. There is a significant difference between the water-rich riparian areas and the arid uplands. (USDA NRSA)

They need to do a population survey of plants and fauna of the riparian biomes on the property. In section 2.6 (p.30) it says “a list of observed tree, shrub, and herbaceous species including percent areal cover of each species and wetland status is included within the monitoring report” but I have not seen it.

There is also no analysis of any of the four wetland's functions despite claims that functions will improve, and the stream classification is only said to be "likely." An evaluation of the reports by Dr. Siobhan Fennessy, renowned wetlands expert (see publications in Appendix 4a: Sample Fennessy Citations, attached) assists in identifying issues in this section.

First, to clarify, according to the EPA, here are wetlands' roles:

The functions of a wetland and the values of these functions to human society depend on a complex set of relationships between the wetland and the other ecosystems in the watershed. A watershed is a geographic area in which water, sediments and dissolved materials drain from higher elevations to a common low-lying outlet or basin or a point on a larger stream, lake, underlying aquifer or estuary.

Wetlands play an integral role in the ecology of the watershed. The combination of shallow water, high levels of nutrients and primary productivity is ideal for the development of organisms that form the base of the food web and feed many species of fish, amphibians, shellfish and insects. Many species of birds and mammals rely on wetlands for food, water and shelter, especially during migration and breeding.

Wetlands' microbes, plants and wildlife are part of global cycles for water, nitrogen and sulfur. Furthermore, scientists are beginning to realize that **atmospheric maintenance** may be an additional wetlands function. Wetlands **store carbon** within their plant communities and soil instead of releasing it to the atmosphere as carbon dioxide. Thus, wetlands help to moderate global climate conditions.

<https://www.epa.gov/wetlands/how-do-wetlands-function-and-why-are-they-valuable>

Thus, wetlands are the linchpin to our city's climate resilience. The function of these four wetlands must be calculated before the Director can determine Public Benefit.

I consulted with Dr. Siobhan Fennessy, and these are her criticisms of the Soundview reports related to the streams and wetlands and planned mitigation (personal communication, 2022 April 12, 16, and 19):

"I do not see evidence or discussion of the current benefits these wetlands and streams [described in LU21-0125] are providing. The functions have not been evaluated. This is a true riparian wetlands and connects to other waters, thus it will affect salmon downstream, and these waters will end up in the Sound. In terms of how one evaluates function of a wetlands, well, I wrote the rules on that for the State of Ohio, and I do not see the wetland functional analysis here. "Degraded" is not a clear term indicating a certain array of functions; a functional evaluation is still needed."

"According to the Wetlands Assessment, 'The stream corridor flows north to south through the western portion of the subject property and was identified as a historic headwaters for Flett Creek. All three wetlands are located adjacent to the identified stream corridor' (p.6). My conclusion: **So it must still be a headwater of Flett Creek and on down to the sound. If the wetlands are adjacent they are hydrologically connected and so are part of the headwater area and their ecological functions would include improving water quality, supporting species that rely on wetland stream complexes, providing energy (in the form of plant material that other species use for their food supply) to downstream biota.**" (emphasis added)

Dr. Fennessy continued: "Again from the Soundview Assessment, 'Stream Z originates from a stormwater outlet northwest of the site' (p.16) This makes it sound bad, but all it means is that storm water runoff is being directed into a culvert (pipe) and directed into the channel. It's not clear whether they are discharging to an existing stream or they created a channel that then goes into an existing stream. It then says: 'No salmonid presence is modeled or documented within the stream.' There may not be salmon that far up but the water flows down to them so **any**

changes could affect the fish. The Soundview Assessment continues: 'Stream Z is potentially regulated by the USACE through Category 2 above, as it is a tributary that is hydrologically connected to the Puget Sound, a traditional navigable water. Wetlands A-D are also potentially regulated by the USACE through Category 4 above as they could be considered wetlands adjacent to jurisdictional waters. Wetlands A-D and Stream Z would be regulated through WSDOE under the Revised Code of Washington (RCW) 90.48.' This means the corps of engineers are likely to be involved since they are the main federal agency that makes decisions on whether wetlands are allowed to be destroyed and then mitigated. By the rules of the Army Corps, wetlands are supposed to be evaluated on the basis of the beneficial functions (ecosystem services) they provide. There are methods to do this, and the **mitigation (replacement wetland) site is supposed to be on track to replace the functions lost. Thus the wetland function absolutely must be calculated for this to be known.**"

"In terms of how to evaluate the health of a stream, we look at macroinvertebrates, which are biological integrators. What really matters in a stream is biota. We have biological criteria and biodiversity indices. One good way to check for the health of the stream is an **Invertebrate Community Index. I see none of that in this report.** "Degraded" is not a clear enough indication of the state of the stream and wetlands. "

"Stream relocation as per the mitigation plan is not all positive, unfortunately. From a recent study, "In reviewing 40 different projects across Maryland, researchers at the University of Maryland laboratory didn't find many ecological benefits. The number and type of aquatic insects — food for fish and key indicators of stream health — didn't improve. According to ecologist Bob Hilderbrand, the study's lead author, there's evidence that a stream's ecosystem can benefit from restoration if the stream wasn't severely impaired to begin with. But in badly degraded urban and suburban streams, he added, "there's not much evidence ... that we can bring the ecology back. And in some cases, he said, his research suggests **the aquatic habitat and life in streams that have undergone restoration work actually wind up worse off than if left alone**" (emphasis added). (https://www.bayjournal.com/news/pollution/stream-restoration-techniques-draw-pushback/article_ffc96960-0895-11eb-b36f-efa466158524.html) Dr. Fennessy continues, "That study also looks into cutting down trees to move the stream, which can make things much worse. A study in Washington also reported on the outcomes of this as well, noting that replanting woody species cover 'did not measurably affect bank erosion rates.' <https://habitat.fisheries.org/time-for-reflection-does-stream-restoration-work/>" She concludes, "Riparian zones are the areas along stream banks that are a critical part of the stream/river ecosystem, for instance by keeping soils in place. If bank erosion isn't bad when they move the stream it could definitely increase and lead to more sediment moving downstream. This is bad news for fish that might be on site, and also could also lead to more sediment moving downstream, which is very bad for fish!"

"The presence of so many non-native species (i.e., they dominate the vegetation community) is only an indication that the site has experienced a lot of disturbance. There are many native species that don't thrive on disturbance and have been 'pushed out' of that wetland (in this case). There is a lot of concern about trying to keep habitats in good enough condition so that native species can persist. In cases like these, people will say that "well, vegetation is dominated by non-natives and so that the area doesn't really have much "value" so it should be fine to let the project go ahead., i.e., we're not losing much." I disagree entirely with this because, while a site may be degraded, it still has ecological value and performs functions that are beneficial, particularly when so many wetlands have already been lost. At the watershed level, wetlands work in the aggregate to provide functions that provide habitat, and improve water quality and minimize flooding downstream For example, to salmon

downstream. The WA Dept of Ecology says this: *'Since the 1780s, Washington has lost 31 percent of its wetland areas, from 1.35 million acres to 938,000 acres. Wetlands are critical to the overall health of watersheds. We are responsible for protecting, restoring, and managing the state's remaining wetland resources because of their key role in watershed health.'* (<https://ecology.wa.gov/Water-Shorelines/Wetlands/Wetlands-overview#:~:text=Since%20the%201780s%2C%20Washington%20has,key%20role%20in%20watershed%20health.>) (Dr. Fennessy, personal communication)

The actual health of the wetlands, the function of the wetlands, and the biota of the stream must be calculated in terms of the costs of the projects to Tacoma and the public interest, and it is impossible to assert that the wetlands and streams will be healthier without this assessment. Thus, **the wetlands function must be calculated and an Invertebrate Community Index performed so that full wetlands mitigation to "improve" function is possible as per the mitigation report. Additionally, fish must be looked for as per WAC 222-16-030 and WAC 222-16-031(3). At this point, the report just insists function will improve without any actual functions report.**

- Negative impact on aquifer

The Soundview Biological Assessment indicates that this project may very well have a negative impact on the aquifer. This requires full EIS to assess.

The Soundview Biological Assessment discusses the increase of impervious surfaces compared to the present, previously developed and undeveloped areas onsite. It quotes the National Oceanic and Atmospheric Administration to note that "increases in impervious surfaces can **change hydrologic dynamics** through a decline in evapotranspiration and **decreases in infiltration.**" The report continues,

*cumulative actions that increase impervious surfaces can also have an **overall negative impact on hydrology. Changes in hydrology from increases in impervious surfaces can reduce water infiltration and dilution. Urban runoff and discharges can increase loading of nutrients, bacteria, metals, pesticides, and other toxicants to streams (NOAA, 2003). In addition, changes in hydrology can increase frequency and severity of flooding and accelerate channel erosion and streambed substrate disturbance (NOAA, 2003).***

If the builder's own application materials notes that the hydrology could be problematic, the need for an EIS could not be clearer. And EIS is needed to assess the affect on hydrology, and to make sure the impact does not impair the city's Climate Action Plan and One Tacoma Comprehensive Plan.

- Wetland C Classification Inconsistencies

Given that wetland functions are so key, the City must take into account **that Wetland C has a moderate habitat score of 6 points exactly as Wetland B does. Wetland B is a Category II wetland subject to a standard 150-foot buffer. Wetland C not only has moderate habitat score but it also has a Water Quality Function that is moderate, and a Hydrologic Functions score of moderate. All three categories are moderate.** Because of a single point different (19 instead 20), C is categorized as Type III with a 75 foot buffer. In the Soundview Conceptual Mitigation Plan, it actually uses inaccurate data to refer to C as Type III. From Table 5 of the Soundview Wetland Assessment we are told, "Wetland C's score for Habitat Functions using the 2014 method is moderate [6]." But then the Soundview Conceptual Mitigation Plan erroneously says it has a rating of 5: "**Wetlands A, C, and D are Category III wetlands with low habitat scores of 5 points or less and subject to standard 75 foot buffers.**" If in fact we accept that 5 is the cutoff for Category III, then Wetland C should be, in fact, Category III and subject

to 150 foot buffer. Which is it? Soundview's own documentation is contradictory. If Category II is not applied, wetland C should be reevaluated by a third party to see what it is categorized as.

Consider the discussion above of the key importance of wetlands, and the fact that a wetlands functions has not been provided. The City must consider whether, then, with the crucial function of this part of the city for carbon capture, water filtration, and downstream salmonids, it is in the Public Interest to accept that all three categories as "moderate" guide classification of Wetland C as Type II, also with a 150 foot buffer. This is particularly important considering the unrecoverable devastation that accompanies the removal of trees in wetlands as per the discussion from Dr. Fennessy and the research she quoted. Wetland C has "trees and shrubs covering more than 66% of the wetland" (Table 5 p.12). This is double the tree and shrub coverage of Wetland A (Category II), for example, and exactly the same as Wetland B, the Category III wetland. Wetland B and C are very similar. Wetland C is small, only 0.65 acre, so to give it the full 150 buffer will not be burdensome to provide, but critical and significant to wetland function outcomes the city so needs.

Given that the construction is already moving, disrupting, buffer averaging, and creating replacement buffers elsewhere, the cost to the wetlands and stream is high, and at the very least, this wetland should be reconsidered as valuable enough with its high tree and shrub coverage and moderate functions in all three categories to be a Type II with a 150 foot buffer.

- Inadequate Assessment of Effect on Fauna, Flora and Ecosystems

The construction will disturb this area but that is said to be unavoidable given the demands of the planned square footage of the buildings. Rather than reduce a plan to maintain the FWHCA, the plan goes ahead, bulldozing and changing and even relocating the stream. **Why? Why indeed even plan for a 32% larger construction, given this Fish and Wildlife Habitat Conservation Area (FWHCA, TMC 13.11.500) critical area? This should absolutely be avoided.** The permit should be denied entirely.

With regards to the FWHCA critical area, much is left unexamined in the LU21-0125 materials submitted. Absolutely no wildlife was examined in the Soundview Wetlands, Fish and Wildlife Habitat Assessment, nor were fish or even invertebrates examined. Additionally, there was no investigation of the presence of Federally listed Mazama pocket gophers -- each appropriate site must be surveyed for characteristic plugs and holes as seen there in 2008. Trapping in 2008 was post-flood and certainly cannot determine whether pocket gophers have moved in during the additional fourteen undisturbed years. **Mazama pocket gophers** as well as additional Federally listed species such as **Taylor's checkerspot butterfly, streaked horned lark** and **Western bluebirds** are resident in the Joint Lewis-Mcchord Airforce Base just south of the land (https://home.army.mil/lewis-mcchord/index.php/my-Joint-Base-Lewis-Mcchord/all-services/public-works-environmental_division/jblm-fish-and-wildlife), while deer, coyotes, opossums, raccoons roam the 98409 Oakland-Madrona zip code. Even black bears regularly pass through the JBLM (<https://www.thenewstribune.com/news/local/military/article244120197.html>) and cougars follow deer into urban areas (<https://www.thenewstribune.com/news/local/military/article244120197.html>). **There must be prey for apex predators** such as coyotes and cougars and yet **the permit shows no biological investigation. Only generic birds are mentioned in the SEPA Checklist, which is woefully inadequate and speaks to the most superficial glance of the property.** Again, the Soundview work lists no species and apparently has done no survey of fauna.

The project calls for removal of trees (with large rootballs that a priori are determined to hold no contaminated soil), and yet **no mapping of the Garry oaks, a priority species, on the property has been provided.**

The effect on the Pacific Flyway for Migratory Birds was left unexamined.

The enhancement of wildlife is written as if no current mammals use the land, which is inaccurate (SEPA Checklist p.11).

We need real evidence that the ecosystem will be better.

We need real investigation of the ecosystem before an assessment can be made about the disruption of wildlife (lights, noise, habitat destruction).

C. Soundview Conceptual Mitigation Plans

The report reads very much as if it were written in 2008 rather than 2021. **No** consideration of the impact of the loss of greenspace for the residents **nor** the alternative uses that would aid the city in its climate resilience over the next 20 to 100 years, **no** evaluation of the impact of the business on the already poor health equity of the area. **These must be considered.** This conceptual mitigation plan justifies the design and mitigation with such flawed logic that it continues with the theme that they were assured permitting no matter how deficient or illogical their reasoning was. Clearly no one writing these materials was worrying about permitting being denied, so poorly is it done. The Soundview report is dated "revised December 2021," which is when Bridges owned the property already, but the title is "Conceptual Mitigation Plan: BNSF Tacoma." One wonders how much was actually revised if not even the title was changed from 2008. **This permit must be denied, but if it is not, the deficiencies in the current Conceptual Mitigation plan absolutely must be addressed as follows.**

Irremediably Flawed Site

The facts on the ground are clear from this section of the application materials – **the site is severely flawed.** We are told that the "proposed project is located on a relatively narrow lot for industrial development, which has significantly limited alternative options for locating the proposed development to avoid critical areas" (p.8).

Why in the world, then, was the City of Tacoma Planning and Development Services department pushing this inappropriate, awkward site for a massive industrial construction? It seems eminently unsuited to industrial construction, and ideal for the other roles mentioned elsewhere in my comment – **to increase green space, to improve climate resilience, to reduce urban heat island effect, to undo decades of environmental sacrifice zones and racial inequities.**

Rather than discarding the notion of construction on this awkwardly narrow site additionally encumbered by a critical area to protect, the Conceptual Mitigation Plan barrels ahead, but still manages **not to justify this construction at all.** Rather, the Plan informs the readers that time and again the plans have been modified to try to accommodate the construction on this site, and, apparently, the applicant is just done with trying any more modifications. Prior modifications are the justification for no more modifications. Forgive my incredulity, but it reminds me of a teen insisting he'd been cleaning up the room a lot, and so, no matter what it looked like, he was done, and could he have the car keys, please? In their own words, the Plan says, "*The proposed project has already undergone variations in site design to attempt to accommodate this [critical areas] constraint, including narrowing the widths of the proposed warehouse to avoid and minimize impacts to critical areas to the greatest extent feasible. However, any further reduction in warehouse size would render the project economically unfeasible, and the associated infrastructure (parking, stormwater) is the minimum necessary to support an industrial development of this scale.*" Alas, logic and the existence of SEP2007-40000099829 utterly undermines this reasoning. A 1.9 million square foot

warehouse had been permitted – why does this one suddenly have to be 2.5 million square feet to be economically feasible? Oh, is it because this unsuitably narrow plot of land with critical areas annoyingly shouldering into construction was bought for an overpriced cost of about \$1 million per acre?

Really? The people of South Tacoma and the wider community throughout the South Sound should put up with these plans because the buyer paid too much for the land? Buyer beware! Our community should not be a sacrifice zone for your misguided purchase. A much better reason needs to be supplied before this construction goes forward. But I doubt a reasoning can be found, otherwise we would have seen it already. No, the conclusion must be made that our county's climate resilience and the imposition of 125 acres of impermeable surface in the middle of the poorest and sickest part of the city is too high a cost for a 2.5 million square feet construction to be allowed.

In short, if the construction is permitted, it must at the very least be reduced to completely avoid disrupting the wetlands and stream and must be as small as necessary to accommodate the Climate Action Plan Goals, the Environmental Action Plan goals, the Economic Development Strategic Plan Goals, our new laws, directives and resolutions. Down to 100,000 square feet would be most appropriate.

“Reasonable Use” Reasoning Flawed

The reasoning in the “reasonable use” section of the Soundview Conceptual Mitigation Plan is similarly weak. *“To demonstrate reasonable Use, the applicant must demonstrate all of the following: 1. There is no reasonable economic use or value with less impact on the Critical Area. The proposed development is the minimum necessary to make use of the site economically feasible and valuable.”* **That is entirely not true since a 32% small construction was found to be economically feasible and valuable in 2008.** Then here again the Plan repeats all the revisions that were done (in identical words I will not repeat), as if past revisions deleted all responsibility to find a real revision. A real revision would be to reduce the size of the project dramatically. The Plan mentions the second condition of “reasonable use:” *“2. There are no feasible on-site alternatives to the proposed activity or use (e.g., reduction in density or use intensity, scope or size, ... layout revision) that would allow reasonable economic use with less adverse impact.”* **Again, the 2007 proposal proves that is it not true.** The consultant is saying this, and yet it is patently not true. **They could cut out more than an entire building and still be as economically feasible, with much, much less adverse impact.** Yet, the Plan repeats again the past revisions as if that would hold any water at all, reminding us again of how unsuitable this land is: *“due to the narrow width of the subject property for industrial development and the encumbrance of critical areas and associated buffers along the entire western portion of the site, complete avoidance of critical areas would make the development economically unfeasible”* (p.8). Rather than readjust their scale, they insist without data that the building footprint can't be smaller. Earlier in the Plan we are told, *“Due to the large building footprints required for industrial development, and the need to provide ample parking for employee cars, semi-trucks and trailers, and to provide safe and efficient access throughout the site, complete avoidance of the onsite critical areas is not possible”*(p.2). These are declarative statements with no evidence supporting them. Where are the studies of warehouse size and profitability? How are all the hundreds of smaller warehouse distribution centers profitable? It beggars belief that we are supposed to take these statements on faith. If this permit is to be taken seriously, these assertions must be backed up with real facts. **Project size and profitability needs clear data to clarify benefit and public interest.**

“Public Interest” Insufficiencies

For any Critical Area, there are special concerns of “Public Interest.” In these cases, *“the public benefit of the proposal and the impact to the critical Area must be evaluated by the Director. The*

Proposal is in the public interest if its benefit to the public exceed its detrimental impact on the Critical area.” This includes evaluating:

- 1. The extent of the public need and benefit;*
- 2. The extent and permanence of the beneficial or detrimental effects of the use or activity;*
- 3. The quality and quantity of the Critical Area that may be affected*
- 4. The economic or other value of the use or activity to the general area and public;*
- 5. The ecological value of the Critical Area;*
- 6. Probable impact on public health and safety, fish, plants, and wildlife; and*
- 7. The Policies of the Comprehensive Plan*

There are several things that stand out in the answers to these seven questions. The first is that the only measurement of public need and benefit offered by SoundView is jobs. No consideration of the benefit of doing nothing, of allowing the current abandoned land to continue to cool the area and to recharge the aquifer. Nor are alternate uses considered. In the other considerations in “Public Interest,” the SoundView consultants insist there will be a *“net lift in ecological functions associated with the identified critical areas when compared to the existing degraded conditions onsite”* and *“will provide increased plant structure and diversity and increased habitat for a variety of wildlife species.”* Again and again the critical area is described as “degraded” in the answers to these questions. And yet, as my discussion of the Wetlands Report detailed above, there is no assessment of the wetlands function nor the biological health of the stream, nor the effect on downstream salmon lifecycle, so this claim is based on sheer guesswork, not science. If there is no baseline of biological health and function, how can one claim improvement so confidently? Again, it beggars belief. If this proposal is to be taken seriously, real answers based on science and numbers need to be provided as per Section IIB, above.

In the answer to #4, similarly ungrounded assertions are made, to the effect that *“The proposed project has the potential to provide hundreds to over 1,000 jobs in the City of Tacoma directly or indirectly, thus greatly benefitting the local economy and increasing employment opportunities for the general public.”* And yet, this is a speculative project. There is no distribution center employer involved at this point and, even if there were, this Conceptual Mitigation Plan does not explore the quality of the jobs, the potential benefit to the community, the type of jobs, and their salaries, not even based on generic figures. Again, we are asked to believe this on faith alone, not science.

Public interest could be identified by the interests of the community and the South Tacoma Neighborhood council. The latter has been working with residents to support the South Tacoma Economic Green Zone, which proposed eco-friendly, green development and an entirely different use of this property. **Both the needs of the many silent residents and the interests of the active residents widely proclaim needs, preferences, and interests that conflict with the public interest presented with no evidence by the permit application materials.**

But the truly astounding gap in the Plan is in the answer to #7, the consistency of the proposed development with the policies of the “Comprehensive Plan.” The answer reads as if the consultants had not even looked at the full, two books, 16 chapters of the “ONE TACOMA – COMPREHENSIVE PLAN.” I’m no expert in meeting the requirements of permit decisions in areas impacting Critical Areas, but one glance at the ONE TACOMA plan reveals that the Soundview answer is completely insufficient:

7. The policies of the Comprehensive Plan

The proposed development is consistent with the policies of the City of Tacoma Comprehensive Plan. Specific economic goals within the comprehensive plan include: to create a robust economy that offers a wide range of employment opportunities, and to create robust, thriving employment centers that strengthen and protect Tacoma’s role as a regional center for industry and commerce. Additionally, Tacoma’s growth target for 2040 includes creating 97,000 new jobs within the city.

What? That is all Soundview has to say about the ONE TACOMA plan? I took a brief look at the sixteen chapters and noticed that Chapter 4: Environment and Watershed Health would surely be a necessary part of evaluating whether the benefit to the public were greater than the detriment to the Critical Area. The goals of the Comprehensive Plan actually seem to require the critical area be left undisturbed in order to provide benefits to the public far greater than an unknown number of jobs of unknown quality and salary. In this chapter we find that the goals include:

GOAL EN-1 Ensure that Tacoma's built and natural environments function in complementary ways and are resilient to climate change and natural hazards.

GOAL EN-3 Ensure that all Tacomans have access to clean air and water, can experience nature in their daily lives and benefit from development that is designed to lessen the impacts of natural hazards and environmental contamination and degradation, now and in the future

How can the Director evaluate the public benefit and the cost to the Critical Area if the application materials only address one of the sixteen chapters of the Comprehensive plan – Economy – and does that only badly, with guesstimates and unproven assertions? In order to do so, this permit application must be modified to provide the details of the current function of the stream and wetland and the ways the project is consistent with the specific goals of the Comprehensive Plan.

These specific goals should include the truncated list I've highlighted in Appendix 3, attached, but I do direct you to this policy the Director must take very seriously: *Policy EN-3.3 **Require that developments avoid and minimize adverse impacts, to the maximum extent feasible, to existing natural resources, critical areas and shorelines through site design prior to providing mitigation to compensate for project impacts.*** Avoid and minimize adverse impact prior to providing mitigation to compensate. At the very least, without a calculation of the costs involved in avoiding the critical area entirely, the public and the city are unable to see what the overall cost and benefits will be, both to the builder and to the public, and thus it is impossible to understand why the builder must encroach upon the Critical Area. Prior to any decision about this permit, this missing information must be provided. And the Director should take very seriously the enforcement of the Comprehensive Plan policies in detail. The Director must make sure that the construction does not violate *Policy EN-3.22 Protect and preserve the quantity and quality of Tacoma's groundwater supply. Or Policy EN-3.23 Encourage infiltration of stormwater to promote aquifer recharge and assure continuous and adequate groundwater supply.* In fact relevant policies demand clear answers from this builder – how is the application in tune with *Policy EN-4.9: Ensure that plans and investments are consistent with, and advance, efforts to improve watershed hydrology by achieving more natural flow patterns in rivers, streams, floodplains, wetlands and groundwater aquifers. Minimize impacts from development.*

I also want to draw your attention to two additional points in the One Tacoma Comprehensive Plan. One point is about "low impact development" which *"strives to mimic pre-disturbance hydrologic processes by emphasizing conservation, use of on-site natural features, site planning, and distributed stormwater practices that are integrated into a project design. Low impact development best management practices emphasize pre-disturbance hydrologic process of infiltration, filtration, storage, evaporation and transpiration. Common low impact development best management practices include: bioretention, rain gardens, permeable pavements, minimal excavation foundations, dispersion, soil quality, vegetated roofs and rainwater harvesting."* **Since the proposed project must be in line with our ONE TACOMA COMPREHENSIVE PLAN, please make sure it follows best practices. The best way to ensure that is, of course, to require a EIS to make sure all of this is evaluated.**

Problematic Stream and Wetlands Impact and Mitigation

The mitigation depends in part on the classification of the stream and wetlands. Above I had reviewed the details that revealed that Wetland C had "moderate" habitat function and was

mentioned in the Conceptual Mitigation Plan as scoring a 5 (CMP 1.1.1) when it in fact scored a 6 in Table 5 (Soundview Wetlands p.12). Similarly, Stream Z is allegedly "likely" Ns2 type with only a 75 foot buffer, but Soundview's own Table 7 says it conveys with Flett Creek and Flett Creek discharges into the Puget Sound.

The mapping is also unclear. The legend for the BNSF Mitigation Viewport by Soundview is incomplete.

These inaccuracies and contradictions in Soundview's work are concerning, and guide my skeptical eye when I look at the impact on the streams and wetland.

We are repeatedly told that this industrial development "requires" a large building footprint which then must intrude on the wetlands and stream. Oh, really?

Many American warehouses are much smaller. Here are some statistics from the United States Energy Information Administration: It used to be that a majority of warehouses were less than 10,000 square feet. Those numbers have changed greatly: only 37% of warehouses are less than 25,000 square feet and an equal amount are greater than 100,000 square feet. The remaining 27% of warehouses vary between 25,000 and 50,000 square feet, on average. That means that American warehousing has gotten much bigger in size - 64% of U.S. warehouses are larger than 25,000 square feet in size. (<https://www.cisco-eagle.com/vector/516/the-typical-warehouse>) Given that Soundview's Conceptual Mitigation's entire logic that "complete avoidance of the onsite critical areas is not possible" rests on "the large building footprints required for industrial development, and the need to provide ample parking for employee cars, semi-trucks, and trailers, and to provide safe and efficient access throughout the site," the fact that smaller warehouses do just fine undermines the very basis of their impact on the wetlands and streams.

This also undermines the assertion that "No changes in site design would result in avoidance or less impacts to Stream Z, as any industrial project consistent with the zoning of the parcels would require road improvements resulting in similar impacts" (1.1.1.) How about a 100,000 square foot warehouse?

The logic is similarly flawed when it says there is no impact. Moving a 1,101 feet of a stream does indeed create an impact, as the scholarly articles on stream relocation discussed by Dr. Fennessy make clear. Many streams never recover. The report also asserts without scientific evidence that "The proposed minor buffer averaging for the buffers associated with Wetlands A and B and Stream Z will result in no net loss of buffer area and functionality" (1.1.2). Since wetlands function has not been assessed, there is no way to know if there is net loss or not. Wetland function must be known so as to confirm no net loss after disturbance.

One of the requirements of the protection of Critical Areas is that "Wetland buffer averaging may be permitted... when... 1. There are no feasible alternatives." The Conceptual Mitigation Plan again is entirely contradictory. It does NOT say there are no feasible alternatives! It only explains it designed the project carefully, and that "Alternative designs and locations were considered for the project, including narrowing building widths and redesigning parking and stormwater infrastructure to be located outside of the critical area buffers to the greatest extent feasible" (1.1.3). "Considered?" Why were they not adopted? The actual requirement that there are no feasible alternatives is not itself considered and answered in this plan. Instead, the plan once again points to the industrial requirements (disproven above) as the reason: "wetland buffer averaging is necessary and unavoidable due to the large building footprints required for industrial development, provide ample parking for employee cars and semi-trucks and trailers, and provide safe and efficient access throughout the site." In actuality, none of this is proven, as I discussed above. Additionally, they fail to meet another requirement, that "the averaged buffer will not result in degradation of the

wetland's functions and values as demonstrated by a report from a qualified wetland expert." That is not provided.

In sum, the wetlands and stream disturbance is not justified in the slightest, neither by the requirements of the project nor by the non-answer to the requirement that there are no feasible alternatives. In fact, alternatives were said to be considered and their rejection as "not feasible" was not at all discussed. One is left with the distinct conclusion that there are alternatives – just not ones Bridge Industrial wants to consider.

The entire impact on the wetlands and stream is entirely not justified and this permit should be rejected as completely insufficient to the requirements for a critical areas development.

III. Responsibility to Promote Health Equity and Environmental Justice

In this section I will go into more details about the granular realities of health inequities in South Tacoma and how they are linked to the absence of environmental justice.

A. New Priority of Health Equity and Environmental Health Disparities:

Both the State of Washington and the Tacoma-Pierce County Health Department highlight the importance of redressing health inequities and environmental injustice. In the TPCHD 2016 report on health equity, it claimed:

*Health equity represents one of the values that we share as Americans. [W]e can work to ensure that everyone has the chance to make choices that will allow them to live the longest and healthiest life possible. **Reducing inequities in Pierce County will improve all of our lives.** By improving systems that create and worsen inequities, we will start to see benefits spread through our community. A more educated community is healthier and the workforce is more employable thus attracting more businesses. A community with less poverty is healthier and can better support local businesses who will in turn invest in local neighborhoods. **Local data about the causes of health inequity suggest our priorities for Pierce County are improved education, health, economic development, community development, and racial equity.** Finally, looking at the work of the Health Department through **a health equity lens** will support more efficient and effective work with our limited resources. Many communities in Pierce County have the economic and social stability to ensure their health without many public health programs and services. These communities often have long life expectancies and a high quality of life. **Focusing resources on those communities that have the highest need and fewest opportunities will provide the greatest return on investment in the form of longer life expectancies and a higher quality of life.***
(p.7 Emphasis added.)

These are the values TPCHD professes, and its research supports the point that the environmental pollutants this new business will add to the already vulnerable population will have a disproportionate and significant effect on the local residents—a significant effect which must be researched, quantified, and mitigated. Why has TPCHD neither answered our emails nor addressed the issues Michelle has raised concerning LU21-0125?

Additionally, the State of Washington created the Washington Environmental Health Disparities Map to compare environmental health risk factors across communities. This change in focus to highlight environmental risk factors requires that a new 2.5 million square foot distribution center be evaluated for a determination of significant environmental impact. In the executive summary, the authors underscore the issues:

People in communities that have lower incomes, less access to education and health care and poorer overall health also shoulder a disproportionate share of the burden of environmental pollution. This is because their neighborhoods are more often located near pollution sources such

as vehicle traffic or hazardous waste facilities. In short, where you live, your income, your race or your language ability may put you at greater risk for exposure to the harmful health effects of environmental pollution... The tool was developed ... to use data to advance environmental health equity. (p.8, emphasis added)

The proposed distribution center project of LU21-0125 is **being placed in exactly the kind of neighborhood least able to be resilient in the face of additional environmental pollution stressors – poor, undereducated, less white, more linguistically challenged, and with some of the worst health outcomes already.** *Environmental health* is defined in the report as “processes by which environmental conditions affect human health” while we also learn the US E.P.A. defines *environmental justice* as “the fair treatment of all people with respect to developing, implementing and enforcing environmental laws, regulations and policies” (p.14.). Is this fair? Far from it.

Where is the discussion of environmental justice in the permitting process of this proposed construction? When we asked Piper Peterson of the Washington EPA about it, she wrote that this was not her purview. Why not? **At what point will the officers of the EPA work to integrate environmental health and environmental justice into implementation and enforcement? It must be now!**

The “pollution burden” in calculating environmental disparity includes diesel emissions, proximity to hazardous waste sites or Superfund, and yet this is not even quantified in the LU21-0125 SEPA Checklist. It will indeed have a significant impact on the environment. In fact, the Washington State report on the Environmental Disparity Maps notes that

Diesel engines produce emission, producing harmful compounds such as ultrafine particles, nitrogen dioxide, benzene and formaldehyde (Betha and Balasubramanian, 2012). Studies have found that short-term exposure to these compounds can cause oxidative stress, increased airway inflammation and acute cardiovascular events (Krishnan et al., 2013, Patel et al., 2012). Both acute and chronic exposure to diesel emissions can cause poor respiratory outcomes in children with asthmas and in people with chronic obstructive pulmonary disease (Krivoshoto et al., 2008, Londahl et al., 2012, McCreanor et al., 207; Spira-Cohen et al., 2011)... The relationship between exposure to PM2.5 and negative health outcomes, such as respiratory and cardiovascular disease, are well documented (Adar et al., 2013 Kaufman et al., 2016). Exposure to PM2.5 can elevate the risk of mortality and adverse birth outcomes such as low birth weight (Bell, Ebisu & Belanger, 2007; Fann et al., 2012, Morello-Frosch et al, 2010). (pp. 29-30)

Additionally,

Noise pollution from high traffic roads can also cause sleep disturbances leading to poorer quality of life (Eze et al., 2017). Exposure from traffic-related air pollution was associated with a diverse health effects such as cardiovascular disease mortality, respiratory health and an increase risk of low birth weight (Berglind et al., 2009; Ghosh et al., 2012; Habermann & Gouveia, 2012; Kan et al., 2007; von Klot et al., 2009). Air pollution from traffic and major roadways may also predispose children to adverse respiratory health outcomes (Gauderman et al., 2007; Gunier et al., 2003; Shultz et al., 2012). Long-term exposure to traffic-related air pollution can lead to increased risk of cardiovascular diseases (Kauman et al., 2016). (p. 31)

In fact, current research has shown a dramatic drop in heart attacks during covid lockdowns. We must stop the increased traffic or deaths will rise in this already overburdened community.

Any “institutional memory” of the site that does not take into account scientific advances in knowledge and shifts in priorities such as **health equity and environmental justice** is a priori ignoring truly significant impacts of the proposed construction. *If this project is to go forward, we ask that the sum total of emissions not increase from this project. All energy must be from non-emitting sources, including in the vehicles, potential*

refrigeration units and/or generators, and so on. No more emissions must be allowed to be deposited in this already suffering area with multiple vulnerabilities.

Fortunately Tacoma's city officials in the Planning Department and in the Health Department have the above research to help guide decision-making in line with SEPA for LU21-0125. Additionally, the free on-line interactive tool developed by the UW Department of Environmental & Occupational Health Sciences and collaborators "ranks the **cumulative risk each neighborhood in Washington faces from environmental factors that influence health outcomes.** [It] features customizable map views to **pinpoint where living and economic conditions combine with pollution to contribute to inequitable health outcomes** and unequal access to healthy communities. The tool is hosted by the Washington State Department of Health through its Washington Tracking Network. The tool is available at: <https://fortress.wa.gov/doh/wtn/WTNIBL/>. It uses state and national data to map 19 indicators of community health, including exposure to diesel emissions, proximity to hazardous waste facilities, housing affordability and race" (emphasis added). In my attached Appendix I: Figures, you will find several maps we've generated using this tool. The overall environmental **health disparity rating** near the proposed construction is **10, the absolute highest and worst possible rating** (see Figures 2 and 3). This overall rating can be broken down into component parts, and we've selected a few. The disproportionate impact of the burden of **diesel** pollution in the proposed construction area is a **level 9**, the second worst ranking (Figure 4). Focusing on **PM 2.5** emissions, the surrounding area ranks at **level 10**, the worst (Figure 5). Looking just at **NOx-Diesel** emissions, the area ranks at the **level 9** (Figure 6). The recent population increase in this part of Tacoma is significant as well – Figure 7 captures the data that it has had the highest growth in population—15%. All this combines to show that there is very little benefit to the surrounding population from this construction, and a great deal of harm. **Hence, any proposed construction should be denied, given the new priorities of the state and the county, the clear risk to the population, and the destruction of the interests of the public. If it is allowed regardless, absolutely no new emissions should be permitted based on new state and city laws.**

B. Insufficient Analysis of Environmental Health Effects

The effects of the proposed construction and the impact of its environmental changes (emissions, traffic, noise, reduction of 125 acres of potential green space) on the health of the surrounding community is missing from the LU21-0125 SEPA Checklist and any comments from city offices thus far. **Based on the existing scientific literature, the impact will be profound and significant, needing a full EIS and Health Impact Assessment to determine how to mitigate.**

It is a misstep for the city to ignore the massive changes that have taken place in public health and experts' understandings of health risk factors by race, income and other population characteristics, while also completely ignoring the work done by the Tacoma-Pierce County Health Department and the State of Washington in the areas of health equity and environmental justice.

Any effect of environmental pollutants is higher for vulnerable populations, and the risk factors for adverse health outcomes have an amplifying effect. Such complex interactions need to be assessed in an EIS and Health Impact for LU21-0125. The factors that amplify adverse health outcomes of environmental pollutants that were uncovered by the work done for the report *Washington State Environmental Health Disparity Maps: Comparing environmental health risk factors across communities* (pp.16-28) include:

- **Linguistic isolation** (p.26)
- **Poverty** (p.26-7)

- **Lower educational attainment** (p.25)
- **Low birth weight** (p.24)
- **Cardiovascular issues** (p.24)
- **Poverty**: creates stress, which amplifies effect of pollutants (p.26)
- **People of color**: creates stress, ditto (p.27)
- **Unemployment**: creates stress, ditto (p.27)

Why has the SEPA Checklist for LU21-0125 not included such vital information about the surrounding neighborhoods? For a **full assessment of the impact of the pollution** generated by this new business, such information is essential.

A quick check taught me that the surrounding zip code 98409 (see Fig. 1) has a median family income of \$40,521, with 62% below \$50,000. **Only 32% of the children in public schools are white, while 23% are Hispanic and 12% Asian.** The Tacoma-Pierce County Health Equity project maps show also that this census tract has the **highest percent of people in poverty** and **highest estimated number of children under five years of age in poverty** (2013-2017 <https://www.tpchd.org/healthy-people/health-equity/health-equity-maps>). **Life expectancy is lowest, only 65.7 -73.2 years** (compared to *80-84 years* in neighboring Fircrest), and there is the **highest number of those with a high school education or less**, and **highest percent of people of color** (see TPCHD "Fairness Across Places?" Maps B3 and B4, 2009-2013). Poverty as mapped by TPCHD shows that the median income was 14,390-38,688 in 2009-2013 (ibid., Map B2). The area also has **the highest rates of low birth rates** – 7.88 to 11.94, *while neighboring Fircrest has almost half that* (4.94 to 6.11) (Ibid, 2011). **Death rate from cardio-vascular disease is also high**, 405-671 per 100,000 compared to Fircrest's 0-192 (ibid, Map B24). Other maps show the **high incidence of colon, rectal, lung and bronchus cancer** in the area (B21 and B22). In fact, the **TPCHD's Health Equity ranking** of the proposed site (98409 zip code) **is among the worst** of all the zip codes, and **the worst** among the more populous zip codes (with only some tiny hyperurban zip codes with only 500-5300 citizens worse off, compared to the 24,000 people who will be affected in 98409) (from TPCHD "Fairness Across Places?" p.53).

In the more recent maps, TPCHD shows the age-adjusted **years of potential life lost** before the age of 75, per 100,000 is **8,403-13,071** for 2010-2017, *compared to 949-4807* in neighboring Fircrest. And the median income is scarcely better than five years earlier, 16,585-39,500. Interestingly, Fircrest, with its healthy population, is only in the next bracket up in income (39,501-58,059), but its amplifying risk factors are much fewer, with more white people, fewer unemployed, and fewer linguistically isolated, and much, much better health outcomes. Additionally, according to Googlemaps, Fircrest has more green space and less industry. Mental health is also worse in the proposed area (TPCHD "Fairness Across Places?" Map B30), and it is worth noting that adding green space improves mental health. And yet it is 98409 that has the proposed 2.5 million square feet distribution center. (For 2010-2017 maps, see <https://www.tpchd.org/healthy-people/health-equity/health-equity-maps/-folder-94>). **An EIS and Health Impact assessment will evaluate whether it is best to cancel this permit.**

Clearly, there is a **dramatic existing health inequity problem adjoining the proposed building site** for LU21-125 and **every** additional bit of exhaust, particulate matter, CO2, and every additional bit of lead/arsenic-laden dust that is blown around, every extra bit of noise, and the permanent elimination of green space **will condemn the surrounding population to additional health costs that have yet to be even considered, let alone calculated.** The SEPA Checklist completely ignores this, as do all the accompanying documentation numbering in the hundreds of pages. Shirley Schultz has been quoted as advising people to ask for "no idling" as a citizen demand. Meanwhile the 2008 mitigation in SEP2007-

4000099829 actually already did mention “no idling” signs and preventing truck queuing at stoplights – a naive hope, as if no one has ever seen nonstop truck idling right next to “no idling” signs! Such a weak response to the real health issues indicates a callous lack of urgency about environmental injustice, something that we hope in 2022 we have left far behind.

Thus, the existing vulnerabilities in this proposed construction area for LU21-0125 need to be formally examined to be able to assess the public benefit versus the costs and to be able to assess the environmental impact.

One final point about the effect on human health that has only recently become a regional problem is the impact of increased impermeable land on the urban heat island effect and heat deaths. The EPA has released information about climate change and deaths:

Unusually hot summer temperatures have become more common across the contiguous 48 states in recent decades (US Global Change Research Program 2017)(see the High and Low Temperatures indicator), extreme heat events (heat waves) have become more frequent and intense (see the Heat Waves indicator), and these trends are expected to continue (Ibid.). As a result, the risk of heat-related deaths and illness is also expected to increase (Intergovernmental Panel on Climate Change, 2014). The “urban heat island” effect accentuates the problem by causing even higher temperatures in densely developed urban areas (SUGCRP 2017) People with certain diseases, such as cardiovascular and respiratory illnesses, are especially vulnerable to excessive heat exposure, as are the economically disadvantaged. Data also suggest a higher risk among non-Hispanic Blacks (CDC WONDER database, 2016)

The LU21-0125 SEPA Checklist does **not** calculate the **increased heating due to the new construction, the increased emissions to cool buildings to compensate, nor heat stress on surrounding communities**, who precisely meet the criteria for **“especially vulnerable populations”** mentioned by the EPA above. *It is inadequate and a full EIS and Health Impact Statement is needed before determining significance of environmental impact.*

C. Insufficient Analysis of Impact of Light, Noise, Water, Air, Soil Pollution

The SEPA checklist for LU21-0125 does **not** sufficiently address the impact of light, noise, air, water and soil on the surrounding community (health equity, environmental justice), on wildlife, and on greenhouse gas emissions. The impact once the site is rented is speculative and dependent on the final user of the site, without even a chance to assess actual direct, indirect and cumulative (including out to 20 and 100 years) impacts.

Is the on site detention of water sufficient? The SEPA Checklist for LU21-0125 does not mention any information about the amount of water displaced or the data on average rainfall increase and single-storm rainfall increase. The 32% smaller construction claimed in 2007 that its construction would displace 274,190 square feet of flood area, and yet, given climate change and the new directive to look 20 and 100 years ahead, this number is meaningless today. *An EIS must be done to determine the environmental impact of LU21-0125. What will the impact be on 100 years of climate change for Tacoma’s water security and climate resilience? The data must be gathered and the future modelled in order for the impact of this significant change to be assessed.*

The SEPA Checklist does not even clarify whether stormwater will be discharged or infiltrated, but the impact on groundwater, on wildlife, on climate resilience and other systems will be vastly different based on which is chosen. The SEPA Checklist and the TRC Amendment to Operations and Maintenance Plan (“TRC OMP”) do not agree. A modular wetland system is mentioned in the SEPA Checklist in addition to infiltration and discharge (p.7, 9). **The site is the traditional headwaters for Flett Creek, which is a popular fishing site, and drains into Chambers Creek, which enters Puget Sound** (see my attached Appendix 1, Figure 8).

What water monitoring is being done for the below-ground aquifer? The application materials refer to the prior owner decommissioning groundwater monitoring wells (TRC OMP, 3.1 [p.14]). Monitoring must be done to know public benefit and cost.

Why, if the compacted contaminated soil is 12 feet below the surface, does the permit claim that no groundwater will be affected during construction, when the very permit application materials confirm that groundwater is approximately 7 to 25 feet below the surface? (“TRC Amendment to OMP” 3.0[p.24] and figures 4-6). Groundwater effect must be calculated.

The permit application relies on **construction workers’ on-the-spot observance of soil** to find unexpected pockets of additional chemical pollution of the site (TRC OMP, 2.0 [p.9]). *Will the workers be incentivized by bonuses to report such pockets? Will their English language be sufficient to communicate? Will they have the ability to stop construction for additional testing? It seems a slender thread to rely on subordinate, on-the-ground workers to report if they see some discoloration in the soil.* Instead, city officials must be on site to monitor and implement the TRC OMP practices.

The permit materials are absolutely inadequate with regard to control and containment of the site contaminants -- arsenic, lead, copper, zinc, carcinogenic polycyclic aromatic hydrocarbons (cPAHs) and polychlorinated biphenyls (PCBs). Groundwater contamination is rejected outright a priori even though rain during construction is said to create contaminated sediment that will be tested for arsenic and lead regularly ((TRC OMP3.3 [p.15]). **The infiltrated water must be tested. How many chemicals will be added to the groundwater via rainstorms during construction? Other chemicals must be monitored and tested for.**

The distribution center needs **a loading dock** – and for some reason, instead of building that on less contaminated soil (of which there is 136 acres), the permit plans for it to be on the twelve **most contaminated acres** (TRC OMD, 2.0). This is the color blue on TRC OMP Figure 2 (the cut is showed on Figure 3) – containing arsenic above the levels of 570 mg/kg, lead over 18,000 mg/kg, and both cPAHs and PCBs over 50 mg/kg. Compare that to the “yellow” on TRC OMP Figure 2, which has much, much less arsenic and lead -- arsenic levels of 20-200 mg/kg and lead 250-1000 mg/kg. *Why in the world are they picking the most contaminated section to dig up for the loading dock?* They must not! This 12-acre “blue” section has the same levels of lead, cPAHs and PCBs as the highly contaminated but treated soil (1.4 acres, “orange” on the map) but itself was **never excavated and consolidated because it was not “cost effective”** (TRC OMD, 2.0, p. 6. Note, there is a 12 acre section with somewhat lower levels that is not marked clearly, but TRC has not returned my calls to clarify. However, the cut is clearly in the “blue”). **So dangerous and expensive to “excavate and consolidate” that it was never handled thus, and yet somehow appropriate to excavate? There is no reason the community should bear the additional risk of excavating a cut for a loading dock in the most contaminated soil when there are multiple other places on site that can suffice the needs of the builder without disturbing the “blue” soil. This permit must not be allowed to go forward. But if it does, the loading dock absolutely must not be in the proposed location.**

Air pollution is focused on dust created by construction (with a brief mention of diesel emissions). The construction will disturb highly contaminated soil. Allegedly all construction will cease when dust is present and if winds are over 20 m.p.h. when moving untreated, contaminated soil. Water will be used to reduce dust as well as tarps on soil, speed limits on vehicles, and gravel (to get dirt off of wheels?) (TRC OMD Appendix A 11.1). Air will be monitored for the neighborhood only when the most contaminated soil is being moved (the “blue” highly contaminated soil, for Building A) (Ibid., 11.2.1).

There are several problems with this. Again, **will workers and staff feel empowered to stop construction to water or wait for winds to die down? Will they be paid when labor must stop, or will it be in their interest to not mention dust? And why 20 m.p.h? The National Weather Service says that dust is lifted up and moves along at 13-18 m.p.h.** (see my attached Appendix I: Figure 9). Checks and balances must be put in place to make sure no dust is produced – city agencies must be present and monitoring, and winds of 3 mph should be the threshold to stop construction.

Most concerning, **air will only be monitored for lead** within the active excavation areas and downwind and other locations within approximately fifty feet of active excavation limits (TRC OMD Appendix A: 11.2 [p.15]). **Both the monitoring devices and the placement are inadequate to secure the health of neighboring residents**, as the following discussion will make clear.

The “hand-held continuous real-time air monitoring instrumentation” such as X MIE DataRAM Model 1000 (TRC OMD Appendix A: 11.2) will **not** be handheld by workers in the midst of the construction, but fixed in place, **numbering only four for this huge site**, and are **incapable of giving real time concentrations of arsenic and lead** (“actual concentrations of arsenic and lead in air cannot be measured in real time” Ibid., p. 16) and, in fact, will “only indicate total particulate levels and **not specific contaminant concentrations**” (Ibid.). The permit alleges that “results from previously collected soil samples” will allow a total particulate Site action level to be calculated – but note that there is **no evidence of actual exposure**. Thus, dust will be allowed, because dust is being used to calculate at what level of dust the work must be stopped (Ibid.). **And yet the components of the dust will not be known and the permitting materials do not give a justification for only calculating the exposure for lead** (11.2.2.2). **Specific and sufficient means to track pollution in real time must be put in place and compliance monitored by city agencies.**

And why have arsenic and lead been identified as the primary chemicals of concern (Ibid.)? There is **no** justification of this given in the materials. **With the high levels of cancer in the community already, on what grounds are the cPAHs and PCBs ignored? All chemicals must be monitored.**

According to submitted materials supporting LU21-0125, when “operations are performed in sensitive areas” “where the nature of the construction” result in a greater risk of exposure, “including residents,” the air samples will only be taken at “4 to 5 feet above ground” and sent out to a laboratory for (again) only lead and arsenic (Ibid., 11.2.4). **There is no information about turnaround time, about other chemicals, nor about what will be done if there has been exposure to the residents, their homes, pets, vegetation and yards. A full EIS and Health Impact assessment needs to be done due to this significant effect to the area and full monitoring must be done with agency oversight.**

Thus, at this point, there is **insufficient information about the contaminants that spread due to the construction, possibly to the detriment of the surrounding natural water features, plants, wildlife, and nearby residents.**

The decontamination is similarly inadequate to the toxicity of the material on equipment. Gravel at the entrances and exits of the site will not be sufficient to clean excavators, trucks, and so on (Ibid, 13.0), while **hosing down generates water to store until testing** (13.2). **Again, the testing is not comprehensive. It must be.**

The supporting materials for LU-21-0125 says it will use clean fill the “source of fill is unknown” (SEPA Checklist LU21-0125). A plan is needed, when the surrounding soil is lightly contaminated and the property has had a longterm occupation by homeless residents, and there might be needles, etc. **The Department of Ecology says testing must be done to find out**

if there is clean fill – while the application admits not all pollutants' locations are known, and plans on relying on workers using backhoes and excavators to notice when and if there is unexpected "soil discoloration."

Given the inadequate measures to control dust, the inadequate testing of airborne contaminants, this construction will have a significant impact on the community and must be stopped or undergo a full EIS to allow it to go forward. All the above requests must be implemented to preserve neighborhood health and safety.

IV. Protecting the City of Tacoma's Climate Resilience

From the One Tacoma Chapter 4 Environment: CLIMATE CHANGE RISKS: Changes in temperature and precipitation patterns are projected to have wide-ranging impacts on the Puget Sound region in the coming decades. Anticipated climate change impacts in Tacoma include more extreme precipitation events (i.e., wetter winters and drier summers), an increased risk of mudslides, and greater flood risk in the Green and Puyallup Rivers (Dalton et al. 2014, Snover et al. 2013). Meanwhile, changing amounts and timing of streamflow due to glacial retreat, reduced snowpack, and earlier snowmelt in the Cascades could affect Tacoma's municipal water supply... An anticipated 4.3 to 5.8 degree Fahrenheit increase in average temperature by [2050] will be accompanied by more frequent and prolonged summer heat events, contributing to increased wildfire risk as well as increased building cooling costs, and posing risks to the health of elderly residents and other particularly vulnerable individuals (Mote et al. 2013).

The city has a grave task before it – follow the One Tacoma Plan and the work from all the city offices to give our city a chance to weather radical climate change. This construction could well derail our chance for climate resilience and sustainability.

TPU's Tacoma Water 2018 Integrated Resource Plan modeling echoes the on-the-ground challenges presented by climate change. *In the near term, Tacoma Water will undertake improvements to enable its existing groundwater supplies to provide optimal production and reliability*" (p.39). Among the many things TPU should be doing to work towards those goals, chief among them should be support for the STGPD and the South Tacoma Economic Green Zone. Frighteningly, TPU's own modeling shows the possibility that, without South Tacoma wells, the city could **not** meet resource adequacy without groundwater even in the most likely (not worst case) scenario for climate change predictions. There is in fact a **planned steep increase** of use of wells for city water even under the most likely scenario. Groundwater is **essential** to the ability of TPU to supply water through 2037 and 2050 according to its own plan. See the figures in Appendix 1a, attached.

In TPU's Integrated Resource Plan, **no** plan is revealed that will improve the groundwater's "optimal production and reliability." Water is **assumed** to be there in the aquifers and only needs to be drilled for. **No** discussion of safeguarding replenishment is involved, even as groundwater pumping rates and an increasing percent of total groundwater rights are integral to TPU's plan to meet resource adequacy -- "*more groundwater could be pumped if Tacoma Water enhanced pumping capacity of its current wells, or added new wells. Increased pumping of groundwater during the spring and early summer would improve the utility's ability to hold surface water in Eagle Gorge Reservoir into the late summer and fall*" which is key since "*the model suggests most curtailments result from lack of storage in the later summer months.*" However, what is being done to protect groundwater? The City must require an EIS for the impact of the construction on top of the aquifer to be calculated and evaluated – as either accepted as manageable, mitigated to secure recharging (such as, for instance, denying building placement that requires compensatory buffering), or entirely denied, so as to protect our groundwater.

If you look at Table 4.2 of that TPU Integrated Resource Plan document (see Appendix 1a, attached), resource adequacy using current sources and under the most stressed climate

change conditions is only 80% met just fifteen years from now (and 50% met by 2050). **But using groundwater, resource adequacy is met almost 100% of the next fifteen years, and 95% of the time even out to 2050 -- with no curtailment of use -- and under the most stressed climate prediction!** Groundwater is key, and the Bridge Industrial construction needs an EIS to determine the effect on it.

The data used to calculate Western Washington Runoff numbers appears to be from 1982 (Barghausen Consulting, Appendix L: Post-Developed CN Calculations) with storms of 24 hours duration or less. Just this year, Tacoma has had two atmospheric rivers lasting days. If the State of Washington does not have updated figures, the project should be stopped until the current conditions can be updated. The rainfall in the modeled 100 year storm is only 4.2 inches (Ibid., Appendix N) – this year an atmospheric river dropped about a months' worth of rainfall in 24 hours in the region. All of the construction mitigation for the flood plain could be entirely inappropriate, with disastrous effects highly likely. Infiltration and holding ponds could be absolutely overwhelmed, with the runoff left to go directly down storm drains.

Unfortunately, Terra Associates uses Barghausen numbers in its study of the retention facilities. Risk of overflow in the event of an 100 year storm was calculated using "daily flow volumes provided by Barghausen." A wrong calculation based on inaccurate numbers could be running through the application materials. Why has this not been corrected?

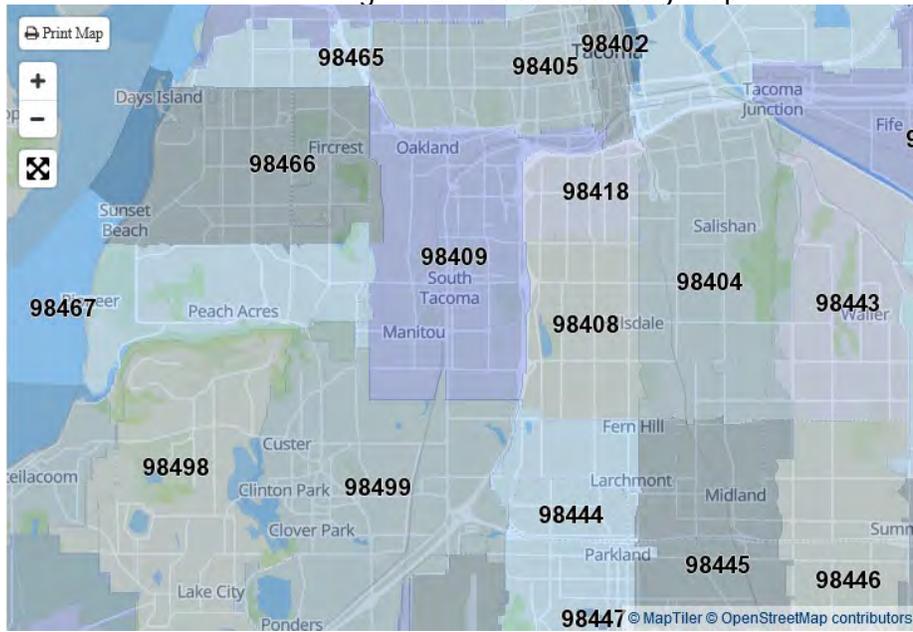
Longterm modeling of the effect on waters downstream and groundwater must be part of this project in order to assess the 20 and 100 year affect of the project. If the project goes forward, longterm monitoring of downstream waters and of groundwater must be integrated into the proposed construction.

My conclusion is that this permit must be denied. I appreciate your attention to this matter.
Sincerely,

Stephen E. Van Holde (and Michelle S. Mood)
3719 South Gunnison St
Tacoma, WA 98409

APPENDIX 1: FIGURES

Fig. 1: ZIP Code Boundary Map



<https://www.unitedstateszipcodes.org/wa/>

Fig 2: ENVIRONMENTAL HEALTH DISPARITIES: Map A Environmental Effects 98409a

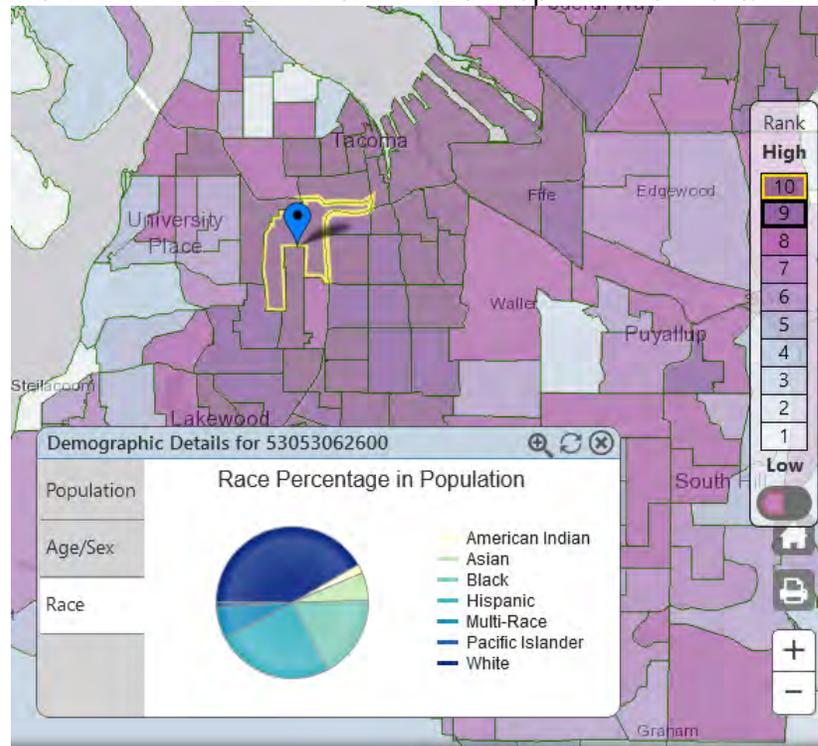
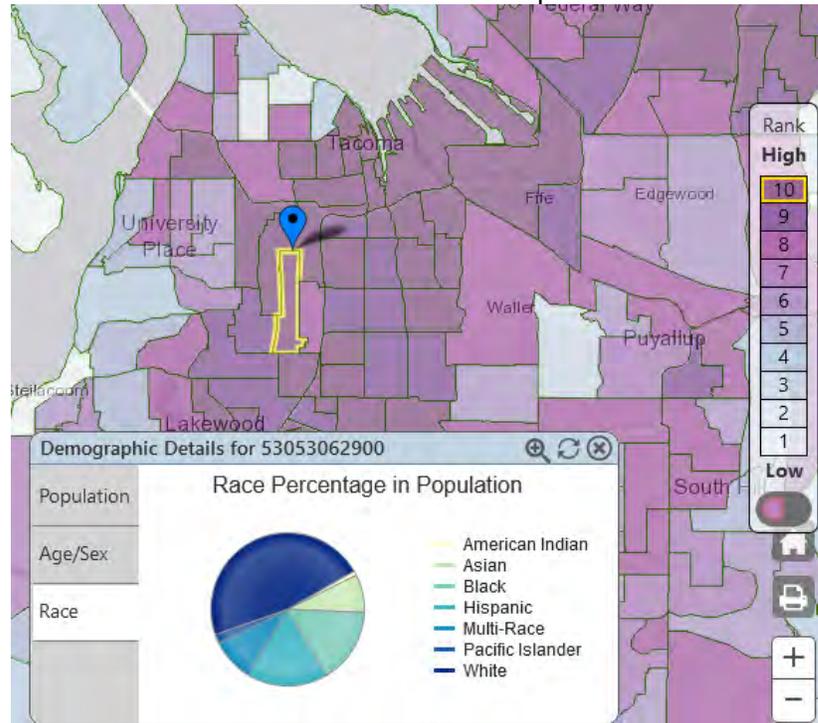
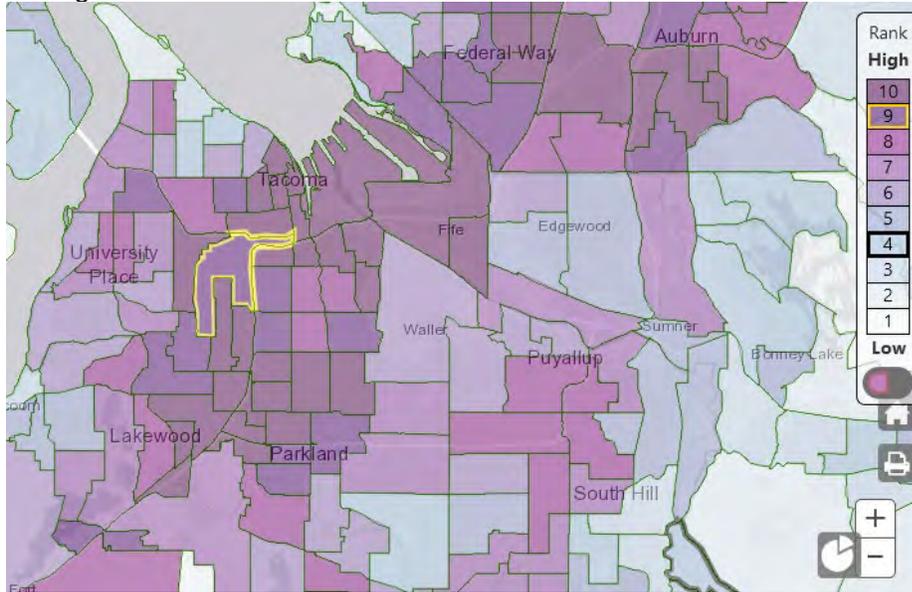


Fig. 3: ENVIRONMENTAL HEALTH DISPARITIES: Map B Environmental Effects 98409b



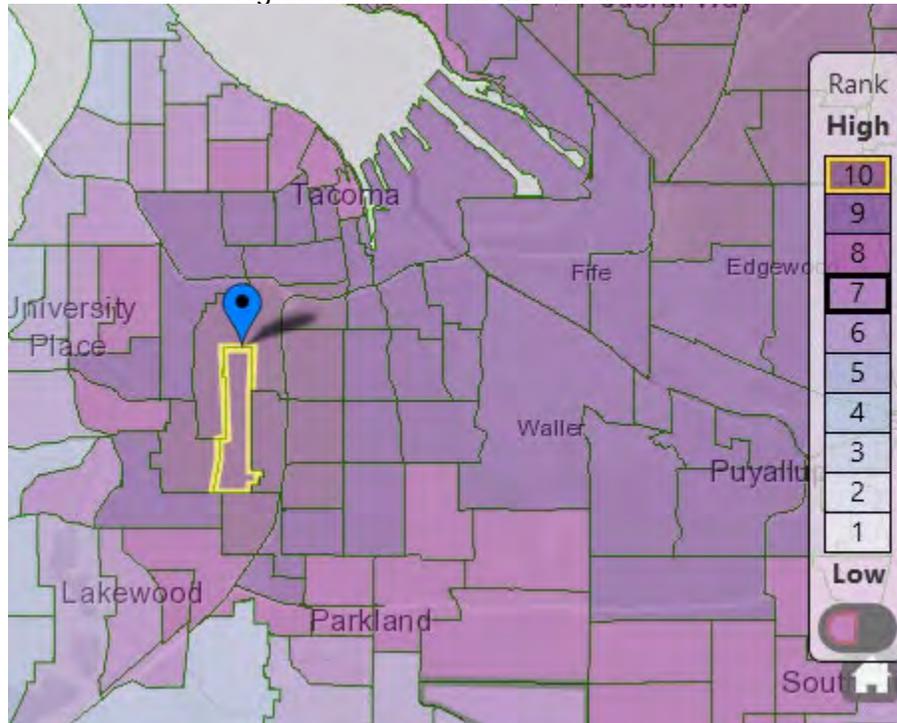
Note: While the Washington Health Disparities Map does not show data by zip code, I have pinned zip code 98409 with the blue dot and I have selected two data sections, which I have labeled as 98409 a and b. Both are ranked 10, the **worst** environmental health disparity rating possible. (Yellow boxed number=ranking number)

Fig 4: DIESEL BURDEN AND DISPROPORTIONATE IMPACT MAP



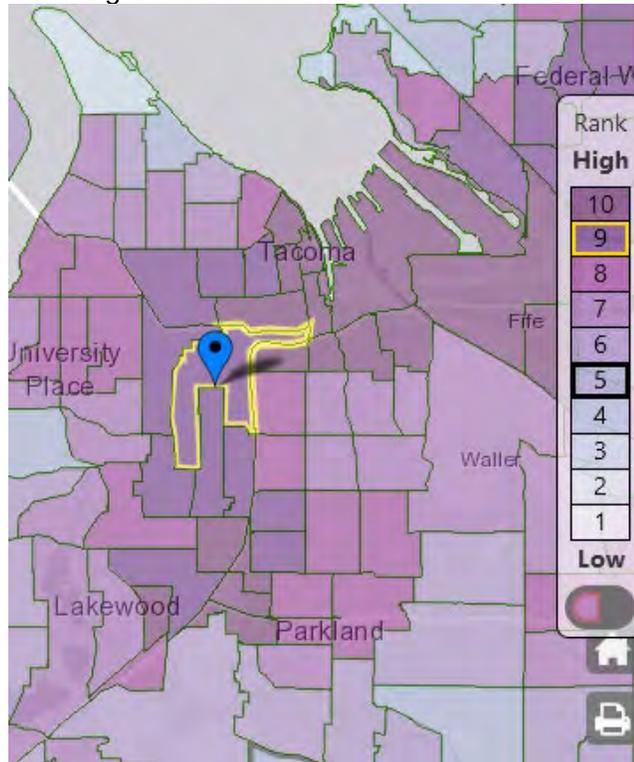
Level 9 for this area, second worst ranking. (Yellow boxed number=ranking number)

Fig 5: Focus on P.M. 2.5 Emissions



Level 10 for this area, worst possible ranking. (Yellow boxed number=ranking number)

Fig 6: Focus on NOx-Diesel Emissions



Level 9 for this level, second worst possible ranking. (Yellow boxed number=ranking number)

Figure 7: Population Increase: District 3 by 15%

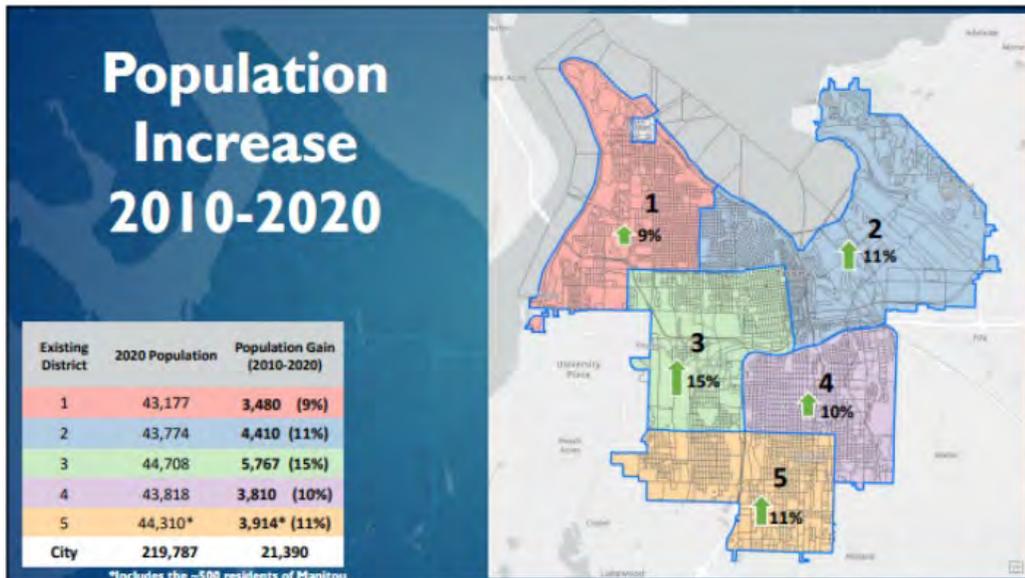


Figure 8: Flett Creek flowline



<https://waterdata.usgs.gov/monitoring-location/12091100/#parameterCode=00065&period=P7D>

Figure 9: National Weather Service Wind Speed Estimation Table

Estimating Wind Speed

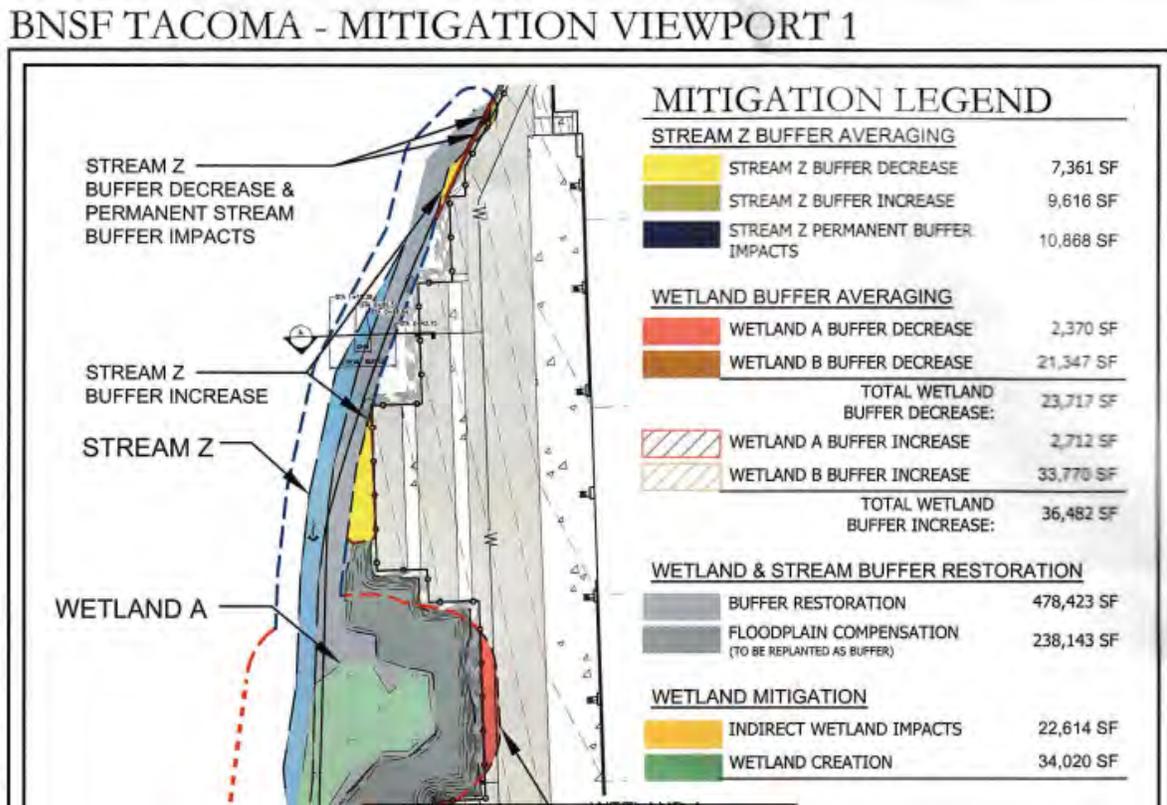
[Also, see [estimating wind speed and sea states](#) while at sea]

Estimating Wind Speeds with Visual Clues [[printable version .pdf](#)]

Beaufort number	Description	Speed	Visual Clues and Damage Effects
0	Calm	Calm	Calm wind. Smoke rises vertically with little if any drift.
1	Light Air	1 to 3 mph	Direction of wind shown by smoke drift, not by wind vanes. Little if any movement with flags. Wind barely moves tree leaves.
2	Light Breeze	4 to 7 mph	Wind felt on face. Leaves rustle and small twigs move. Ordinary wind vanes move.
3	Gentle Breeze	8 to 12 mph	Leaves and small twigs in constant motion. Wind blows up dry leaves from the ground. Flags are extended out.
4	Moderate Breeze	13 to 18 mph	Wind moves small branches. Wind raises dust and loose paper from the ground and drives them along.
5	Fresh Breeze	19 to 24 mph	Large branches and small trees in leaf begin to sway. Crested wavelets form on inland lakes and large rivers.

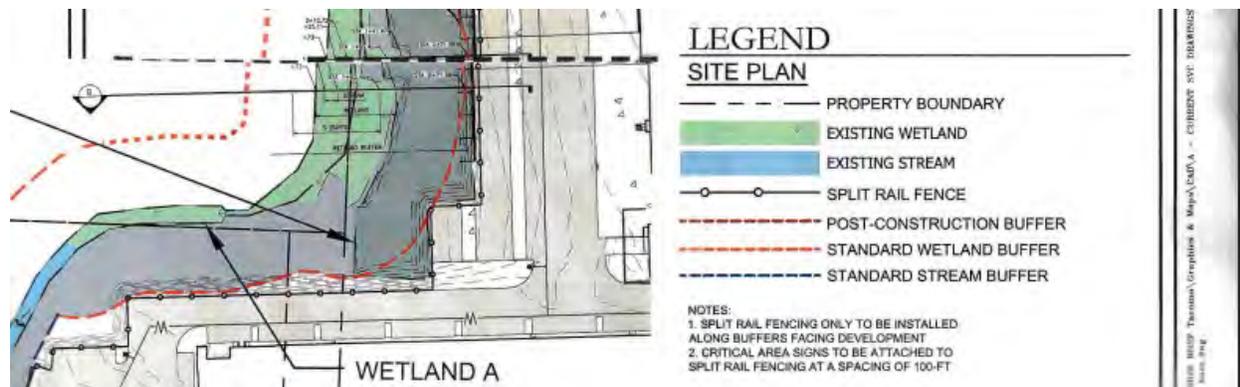
<https://www.weather.gov/pqr/wind>

Figure 10: BNSF Tacoma Mitigation Viewport 1 "Mitigation Legend"



Note: Colors are not accurate with the original. The vertical grey scored blocks are not identified in the legend (in the original they are more brown-grey, and match with no Legend color). Black dashed lines are also not in the legend.

Figure 11: BNSF Tacoma Mitigation Viewport 1 "Legend"



This legend is included to show that the wide dashed black line is not identified in either legend.

Figure 12: Washington State DNR Stream Classification Types

Water Type Classifications

The following table provides a general description of forest practices water type classifications currently in use.

Type	Description
Type "S" = Shoreline	Streams and waterbodies that are designated "shorelines of the state" as defined in chapter 90.58.030 RCW. (formerly type 1)
Type "F" = Fish	Streams and waterbodies that are known to be used by fish, or meet the physical criteria to be potentially used by fish. Fish streams may or may not have flowing water all year; they may be perennial or seasonal. (formerly type 2 or 3)
Type "Np" = Non-Fish	Streams that have flow year round and may have spatially intermittent dry reaches downstream of perennial flow. Type Np streams do not meet the physical criteria of a Type F stream. This also includes streams that have been proven not to contain fish using methods described in Forest Practices Board Manual Section 13 . (formerly type 4)
Type "Ns" = Non-Fish Seasonal	Streams that do not have surface flow during at least some portion of the year, and do not meet the physical criteria of a Type F stream. (formerly type 5)

<https://www.dnr.wa.gov/forest-practices-water-typing>

APPENDIX 1a: Tables and Figures from TPU Tacoma Water: Integrated Resource Plan 2018

Fig 1.2 Tacoma Water's wellfields

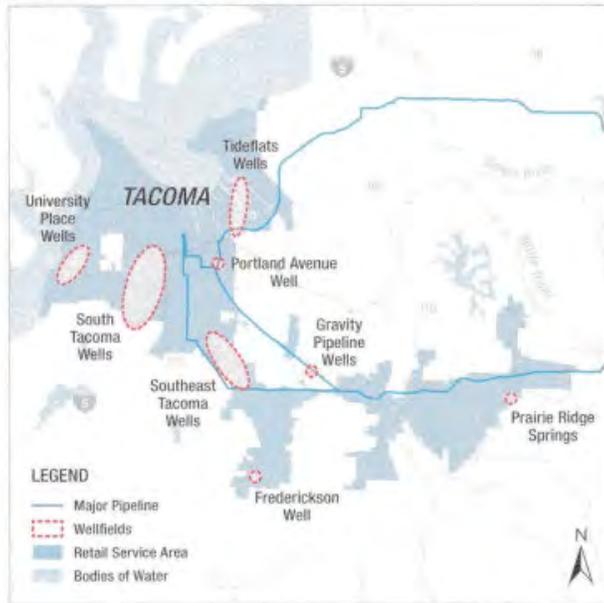


Figure 4.1 Potential for failure of resource adequacy standard



	2037 results		2050 results
	Least-Stressed	Most-Likely	Most-Stressed
Number of voluntary curtailments <i>(out of 25 years)</i>	<1	<1	2
	3	2	5
Number of mandatory curtailments <i>(out of 25 years)</i>	0	0	3
	0	<1	5
Is the RAS met?	Yes	Yes	No
	Yes	Yes	No
Percent of groundwater rights utilized	50%	55%	60%
	60%	60%	70%

Number of curtailments represents the long-term average, standardized to the expected frequency in any 25-year period.

Table 4.1 WYSM outputs for planning scenarios

Figure 4.2 Performance of alternatives under the “most-stressed” scenario



2037 results

2050 results

	Current Sources	OASIS	AWSP Phase 1 <i>(Howard Hanson Fish Passage)</i>	AWSP Phase 2 <i>(Reservoir Pool Raise)</i>	Develop Full Groundwater Rights	Aggressive Peak Shaving
Number of voluntary curtailments <i>(out of 25 years)</i>	2	4	2	2	<1	<1
	5	2	5	5	2	2
Number of mandatory curtailments <i>(out of 25 years)</i>	3	<1	<1	<1	0	0
	5	4	<1	<1	0	0
Is the RAS met?	No	Yes	Yes	Yes	Yes	Yes
	No	No	Yes	Yes	Yes	Yes
Percent of groundwater rights utilized	60%	60%	60%	60%	75%	55%
	70%	70%	70%	70%	95%	67%

Table 4.2 WYSDM outputs for resource alternatives in the most-stressed scenario

Appendix 2: EMAIL SCREENSHOTS

A.SEP2007-400000 Permit

From: Michelle Mood <moodm@kenyon.edu>
Sent: Tuesday, March 1, 2022 3:28 PM
To: Schultz, Shirley <sschultz@cityoftacoma.org>
Cc: Stephen Van Holde <vanholde@kenyon.edu>; Cooley, Christine <ccooley@cityoftacoma.org>; Blocker, Keith <kblocker@cityoftacoma.org>; Adam Lynn <adam.lynn@thenewtribune.com>
Subject: Re: Basis of MDNS for the 2.5 million sq ft distribution center

Thank you! Can you share the decision-making then that the *preliminary* determination that an MDNS is probable? T
--Michelle

 **Schultz, Shirley** <sschultz@cityoftacoma.org>
to Christine, me, Stephen, Keith, Adam ▾ Mar 1, 2022, 7:02 PM ☆ ↶ ⋮

Hi, Michelle –

This was based on a review of the completed SEPA checklist and all the materials submitted for the associated permits. This includes the application of our development codes (e.g. stormwater, critical areas) and how they are designed to avoid or mitigate impacts.

In addition, the City completed environmental review and permitting for a very similar project about 10-12 years ago. That background was included in all the pre-application and “complete application” discussions.

...

Shirley Schultz, AICP (she/her)
City of Tacoma | Development Services

 **Michelle Mood** <moodm@kenyon.edu>
to Shirley, Christine, Stephen, Keith, Adam, bcc: SHERI, bcc: Heidi, bcc: Timothy, bcc: mtackhooper, bcc: Kristen, bcc: Jaimini, bcc: swmupdates@cityoftacom ▾ Mar 1, 2022, 7:09 PM ☆ ↶ ⋮

Dear Shirley,
WOW! Thanks for such prompt answers! I truly appreciate it!
Can you direct me to those additional documents for the environmental review and permitting for the “very similar project about 10-12 years ago” since the background was “included in all pre-application and ‘complete application’ discussions” and I haven’t seen any of them.
Yours,
Michelle

...

 **Schultz, Shirley** <sschultz@cityoftacoma.org>
to Christine, Megan, me, Stephen, Keith, Adam ▾ Mar 1, 2022, 7:26 PM ☆ ↶ ⋮

Sure thing!

You will want to look at permit 40000099829 in Accela the same way you looked up LU21-0125. The basics are there (decisions and attachments) but for anything beyond that you’d need to do a public records request because the file lives in a big paper box in archives.

Michelle Mood <moodm@kenyon.edu>
to Shirley, Christine, Stephen, Keith, Adam, Megan ✱
Tue, Mar 1, 7:36 PM ☆ ↶ ⋮

Hi again, Shirley. You are being so patient with me, I so appreciate it.

Since I assume no one went to look at that box, can you please share what WAS used? That is, **can you tell me where I can find all mitigation conditions identified that gave the lead agency the "assurance that specific enforceable mitigation will successfully reduce impacts to a nonsignificant level"?** I feel like I am getting bits and pieces of it, I need all. All of these application materials that you say were considered do not seem accessible to citizens online.

With regards to getting the materials with that portal you gave me – it never worked for me. I had to rely on someone I just met on facebook chatting about this it to me since the link you gave me never worked. I would input the permit number and never get anything. I tried different browsers also. Could someone in your office send the pdf to me?

I reiterate my request for an extension of the comment period – we have been in email communication for more than a week and I have yet to receive all mitigation conditions under consideration, and yet the Regulations state they must be identified. The Permit Public Notice only mentions TRAFFIC.

From <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-FAQ>

The lead agency issues a mitigated DNS in lieu of preparing an EIS when there is **assurance that specific enforceable mitigation will successfully reduce impacts to a nonsignificant level.**

The optional DNS process allows a lead agency to combine the SEPA comment period with the notice of application (NOA) prior to actually issuing the DNS. The notice of application must state the optional DNS process is being used and the public's opportunity to comment will be limited. **It also means all mitigation conditions under consideration also must be identified.** After the end of the comment period, the lead agency may issue the DNS without a second comment period.

Sorry for the strange formatting, I am not sure what is happening.

Michelle

Schultz, Shirley <SSchultz@cityoftacoma.org>
to Christine, me, Stephen, Keith, Adam, Megan ▼
Mar 1, 2022, 8:12 PM ☆ ↶ ⋮

Michelle –

The prior review record, which is in that 4xxx file, is the official record for the "old" permit. It's the decision and the attachments. It was provided to the current applicant and all reviewing staff during the pre-application process. Key to that decision were the comments received from staff experts and reviewing agencies – those are included in what you can access. If you need the full studies, we might be able to get those uploaded or get them from the paper file following a PDR.

However, that may have been a little bit of a rabbit hole for you. This current application is being reviewed on the materials the applicant has submitted over the last several months. Those are all in LU21-0125 and available for review. Staff are working with those files and they are available to the public and the reviewing agencies to make comment on the potential environmental impacts from the proposal.

B.Missing Documents: Biological and Wetlands Assessments

Michelle Mood <moodm@kenyon.edu>
to shirley.schultz, Molly, bcc: Heidi ✱
Tue, Mar 29, 8:35 PM ☆ ↶ ⋮

Dear Shirley,

I hope this note finds you well. We're still on this interesting journey learning about the proposed construction for LU21-0125. I am trying to find two reports mentioned in Bridge's SEPA Checklist: Biological valuation - Soundview Consultants, May 2021
Wetland and Fish and Wildlife Habitat Assessment Report-Soundview Consultants, May 2021

I have found the Conceptual Wetland Mitigation Plan from Soundview and looked through it carefully just in case the above reports, while listed separately, could have been folded in, but it doesn't have them. I looked through all the documents in the list below that you so nicely sent, and couldn't find it. I thought maybe it was in Floodplain Part 3, Appendix D Existing Upstream Basin, or Storm Drainage section 2.0 Existing Conditions but no.

After stiking out, I thought maybe you would know. The SEPA checklist was prepared May 2021 before Bridge bought the property, and so I would think that the reports would have been submitted months ago or certainly by now even if they didn't make it in with the checklist submission itself. Any help you can give would be greatly appreciated!

-Michelle

Category	Description	File Name
Public Notice/Meeting Notice	LAND USE null	LU21-0125 Public Notice
Report	LAND USE Floodplain Study - Part 4	1st Resubmittal-Floodplain Study-Part 4-BCE-21633-2021-12-10.pdf
Report	LAND USE Floodplain Study - Part 3	1st Resubmittal-Floodplain Study-Part 3-BCE-21633-2021-12-10.pdf
Report	LAND USE Floodplain Study - Part 2	1st Resubmittal-Floodplain Study-Part 2-BCE-21633-2021-12-10.pdf
Traffic Impact Information	LAND USE Traffic Study	1st Resubmittal-Traffic Study-TENW-21633-2021-12-10.pdf
Report	LAND USE Storm Drainage Report	1st Resubmittal-Storm Drainage Report-2021-12-10.pdf
SEPA Checklist	LAND USE SEPA Checklist	1st Resubmittal-SEPA Checklist-21633-2021-12-10.pdf
Report	LAND USE Mounding Analysis	1st Resubmittal-Pilot Infiltration Testing (PIT) and Mounding Analysis-Terra-21633-2021-12-07.pdf
Cultural Resources Report	LAND USE Inadvertent Discovery Plan	1st Resubmittal-Inadvertent Discovery Plan-BCE-21633-2021-12-10.pdf
CAPO Report	LAND USE Conceptual Mitigation Report	1st Resubmittal-Conceptual Mitigation Report-SV-21633-2021-12-10.pdf
Drawings	LAND USE Civil Engineering Plans	1st Resubmittal-Civil Engineering Plans-2021-12-10.pdf
INTAKE	Civil CAD Files - Civil 3D	1st Resubmittal-Civil CAD Files-Civil 3D-BCE-21633-2021-12-10.zip
INTAKE	Civil Cad Files - AutoCAD	1st Resubmittal-Civil CAD Files-AutoCAD-BCE-21633-2021-12-10.zip
Drawings	LAND USE Building Elevations	1st Resubmittal-Building Elevations-Syn-21633-A41A-2021-12-10.pdf



Schultz, Shirley

to me, Molly ▾

Tue, Mar 29, 8:33 PM ☆ ↶

Hello –

First off, were you able to download stuff from Accela? Looks like the one report is 21 megabytes so I don't think I can email it.

Secondly, and this is mortifying and I'm so glad you asked – the permissions changed on the documents and so that's why you couldn't see them. I have made them public (AGAIN) so if you can get there through Accela that would be best.

If not, let me know and I'll try to find a way to get you a thumb drive.

Shirley Schultz, AICP (she/her)

City of Tacoma | Development Services

c: 253-345-0879

shirley.schultz@cityoftacoma.org

www.tacomapermits.org

APPENDIX 3: Selection from the ONE TACOMA COMPREHENSIVE PLAN

All of the policies of the One Tacoma Comprehensive Plan must be addressed in the evaluation of the construction on the Critical Areas in this project plan. However, the following policies seem particularly crucial for consideration, and I am asking for a full incorporation of these policies and for them to be fully addressed in any permitting process:

*Policy EN–1.1 Recognize the multiple benefits of the City’s ecosystem services, including economic impacts, **pollutant reduction potential, carbon sequestration** and the reduction of stormwater runoff.*

*Policy EN–1.2 **Promote equitable, safe and well-designed physical and visual access to nature** while also protecting high value natural resources, fish and wildlife.*

*Policy EN–1.3 **Consider the impacts of climate change** and the risks to the city’s environmental assets in all phases of planning, programming and investing.*

*Policy EN–1.5 Protect the quantity, quality and function of **high value environmental assets** identified in the City’s natural resource inventories, including: a. Rivers, lakes, **streams and associated riparian uplands** b. Floodplains c. Riparian corridors d. **Wetlands and buffers** e. **Groundwater** f. **Trees and urban forests** j. **Habitat complexes and corridors** ...when planning for growth.*

*Policy EN–1.7 Consider Tacoma’s **environmental assets as important resources** and components of the City’s infrastructure.*

*Policy EN–1.12 Coordinate plans and investments with other jurisdictions, air and water quality regulators, watershed councils, soil conservation organizations and community organizations and groups to maximize the benefits and cost-effectiveness of **watershed environmental efforts** and investments.*

*Policy EN–1.13 Coordinate transportation and **stormwater** system planning in areas with unimproved or substandard rights of way to improve water quality, prevent localized flooding, enhance pedestrian safety and neighborhood livability.*

*Policy EN–1.17 Assess and periodically review the **best available science for managing critical areas** and natural resources*

*Policy EN–1.18 **Evaluate climate data and consider climate risks** in the development of regulations, plans and programs.*

*Policy EN–1.19 Evaluate **trends in watershed and environmental health** using current and historical data and information to guide improvements in the effectiveness of City plans, regulations and infrastructure investments.*

*Policy EN–1.20 Maintain an up-to-date inventory of **environmental assets***

*Policy EN–1.23 Assess and reassess Tacoma’s **tree canopy** coverage on a regular basis so as to be able to track the potential implications on environmental health*

*Policy EN–1.25 Develop management plans for each of the City’s **watersheds**.*

Policy EN–1.26 Maintain, implement and periodically update a climate action plan and GHS inventory,

*Policy EN–1.27 Assess the risks and potential impacts on both City government operations and on the community due to **climate change, with regard to social equity**.*

*Policy EN–1.28 **Incorporate climate change considerations into City operational plans**.*

*Policy EN–1.29 **Protect processes and functions of Tacoma’s environmental assets (wetlands, streams, lakes) in anticipation of climate change impacts**.*

*GOAL EN–3 **Ensure that all Tacomans have access to clean air and water, can experience nature in their daily lives** and benefit from development that is designed to **lessen** the impacts of ... environmental contamination and degradation, now and in the future.*

*Policy EN–3.1 Ensure that the City achieves **no-net-loss of ecological functions** over time.*

*Policy EN–3.2 **Evaluate the potential adverse impacts of proposed development on Tacoma’s environmental assets, their functions and the ecosystem services they provide**.*

Policy EN–3.3 Require that developments avoid and minimize adverse impacts, to the maximum extent feasible, to existing natural resources, critical areas and shorelines through site design prior to providing mitigation to compensate for project impacts.

Policy EN–3.5 Discourage development on lands where such development would pose hazards to life, property or infrastructure, or where important ecological functions or environmental quality would be adversely affected: a. Floodways and 100-year floodplains c. Wetlands d. Streams e. Fish and wildlife habitat conservation areas f. Aquifer recharge areas

Policy EN–3.6 Limit impervious surfaces within open Space Corridors, shorelines and designated critical areas to reduce impacts on hydrologic function, air and water quality, habitat connectivity and tree canopy.

Policy EN–3.7 Encourage site planning and construction techniques that avoid and minimize adverse impacts to environmental assets.

Policy EN–3.10 Minimize and manage ambient light levels to protect the integrity of ecological systems and public health without compromising public safety.

Policy EN–3.12 Avoid locating new sensitive uses in proximity to sources of pollution (e.g., Interstate-5, Interstate-705, State Route-509, State Route-16, State-Route 7, truck routes, rail yards) and vice versa. Where such uses are located in proximity to sources of air pollution, use building design, construction and technology to mitigate the negative effects of air pollution on indoor air quality.

Policy EN–3.22 Protect and preserve the quantity and quality of Tacoma’s groundwater supply.

Policy EN–3.23 Encourage infiltration of stormwater to promote aquifer recharge and assure continuous and adequate groundwater supply.

Policy EN–3.28 Protect the quality of groundwater used for public water supplies to ensure adequate sources of potable water for Tacoma and the region. Ensure that the level of protection provided corresponds with the potential for contaminating the municipal water supply aquifer.

Policy EN–4.9 Ensure that plans and investments are consistent with, and advance, efforts to improve watershed hydrology by achieving more natural flow patterns in rivers, streams, floodplains, wetlands and groundwater aquifers. Minimize impacts from development and encourage restoration of degraded hydrologic functions, where practicable

APPENDIX 4: Citations

- CoLab for Community and Behavioral Health Policy, in collaboration with the Tacoma-Pierce County Health Department, "Policies to Advance Health Equity," University of Washington, Department of Psychiatry and Behavioral Sciences, with support from the Northwest Center for Public Health Practice
<https://www.tpchd.org/home/showpublisheddocument/8357/637469051767170000>
- Environmental Protection Agency, "EPA, Health, and Society, Climate Change Indicators: Heat-Related Deaths," <https://www.epa.gov/climate-indicators/climate-change-indicators-heat-related-deaths>
- Nature* Editorial, "Concrete Needs to Lose Its Colossal Carbon Footprint," 28 September 2021 <https://www.nature.com/articles/d41586-021-02612-5>
- Tacoma Climate Action Plan 2030
<https://www.cityoftacoma.org/cms/One.aspx?portalId=169&pageId=193914>
- Actions for a Better and More Just Tacoma 2021-2024:
https://www.cityoftacoma.org/UserFiles/Servers/Server_6/File/cms/enviro/Sustain/CAP%20Final/Tacoma%20CAP.pdf
- Sections:
https://www.cityoftacoma.org/UserFiles/Servers/Server_6/File/cms/enviro/Sustain/CAP%20Final/Tacoma%20CAP%20Sections.pdf
- Tacoma Environmental Action Plan: 2020 Progress Report,
https://cms.cityoftacoma.org/enviro/Sustain/Environmental_Action_Plan_2020_Progress_Report_FINAL.pdf
- Tacoma-Pierce County Health Department, "Fairness Across Places? Your Health in Pierce County, 2015 Health Equity Assessment Tacoma - Pierce County Health Department, South Tacoma" 2016
<https://www.tpchd.org/home/showpublisheddocument/196/636419715046230000>
- Tacoma Waters Tacoma Public Utilities, "Integrated Resource Plan" 2018
<https://www.mytpu.org/wp-content/uploads/tacomawaterirp0219.pdf>
- University of Washington Department of Environmental and Occupational Health Services, *Washington State Environmental Health Disparity Maps: Comparing environmental health risk factors across communities: Technical Report*. Seattle: 2019 ([Washington Environmental Health Disparities Map Project | Environmental & Occupational Health Sciences](#))
- USDA, Natural Resources Conservation Service, National Engineering Handbook Hydrology Chapters, Chapter 9 2004
<https://www.nrcs.usda.gov/wps/portal/nrcs/detailfull/national/water/manage/hydrology/?cid=stelprdb1043063>
- USDA Natural Resources Conservation Service, "Riparian Areas Environmental Uniqueness, Functions, and Values", RCA Issue Brief #11 August 1996
https://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/technical/?cid=nrcs143_014199
- Washington State Department of Ecology, SEPA Environmental Review
<https://ecology.wa.gov/regulations-permits/SEPA-environmental-review>
- Washington State Department of Natural Resources, "Safeguarding our Lands, Waters and Communities: DNR's Plan for Climate Resilience," February 2020

Appendix 4a: Sample Works by Dr. Siobhan Fennessy
(see her Wetlands Assessment review and discussion in Section II.B.)

Julie K. Cronk and M. Siobhan Fennessy, *Wetland Plants: Biology and Ecology*,
Routledge, 2016

M. Siobhan Fennessy, Amy D. Jacobs, Mary E. Kentula, "An Evaluation of Rapid Methods
for Assessing the Ecological Condition of Wetlands," *Wetlands*, Vol 27, Issue 3, 2007, pp.543-
560

D. Gardner, R.C., Finlayson, C.M., Davidson, N., Fennessy, M.S., Coates, D., van Damn,
A., Baker, C., Kumar, R., Stroud "Global Wetland Outlook: State of the World's Wetlands and
Their Services to People," Ramsar Convention Secretariat, 2018

Teresa K. Magee, Karen A. Blocksom, & M. Siobhan Fennessy, "A National-scale
Vegetation Multimetric Index (VMMI) as an Indicator of Wetland Condition Across the
Conterminous United States," *Environmental Monitoring and Assessment*, Vol 191, Article No.
322 (2019)

Amanda M. Nahlik, M. Siobhan Fennessy, "Carbon Storage in US Wetlands," *Natural
Communications*, Vol 7, Issue 1, 2016, pp.1-9

Jake Rice, CS Seixas, ME Zaccagnini, M Bedoya-Gaitán, N Valderrama, CB Anderson,
MTK Arroyo, M Bustamante, J Cavender-Bares, A Diaz-de-Leon, S Fennessy, JRG Márquez, K
Garcia, EH Helmer, B Herrera, B Klatt, JP Ometo, VR Osuna, FR Scarano, S Schill, JS Farinaci,
"The IPBES Regional Assessment Report on Biodiversity and Ecosystem Services for the
Americas,,: Bonn, Germany, 2018

APPENDIX 5: List of Public Officials Notified of this Comment

City of Tacoma Mayor Victoria Woodards, City Manager Elizabeth Pauli, TPU Director Jackie Flowers, TPU Public Utilities Commission Board Chair Mark Patterson, TPCHD Board Chair Derek Young, City of Tacoma Planning and Development Services Director Peter Huffman, Office of Equity and Human Rights Director Lisa Woods, Community and Economic Development Director Jeff Robinson, US EPA Region 10 Policy & Environmental Review Branch Chief Rebecca Chu, Puget Sound Clean Air Agency Interim Executive Director Cynthia Wang, TPU Water Management Team Superintendent Scott Dewhirst, Washington State Department of Ecology Office of Equity & Environmental Justice Millie Piazza, Sustainable Tacoma Commission of Tacoma Staff Liaison Patrick Babbitt, TPCHD Health Equity Program Director Victor Rodriguez, TPCHD Director of Health Anthony Chen, TPCHD Environmental Health Division Director Jessica Gehle, TPCHD Environmental Health Specialist Supervisor Judy Olsen, TPCHD Environmental Health Specialist Trevor Priestley, US EPA Project Manager Piper Peterson, Commission Staff Liaison Lihuang Wung, City Council Economic Development Committee Chair Keith Blocker, City Council Infrastructure, Planning & Sustainability Chair Kristina Walker, City Council Economic Development Committee Vice-Chair Kiara Daniels, City Council Infrastructure, Planning & Sustainability Vice Chair John Hines, Economic Development Board of Tacoma-Pierce County Director of Operations Deborah Kelly, Office of Environmental Policy and Sustainability Division Manager Jim Parvey, OEPS Urban Forest Program Manager Mike Cary, City Council Members Sarah Rumbaugh, Catherine Ushka, Joe Bushnell, Conor McCarthy, Kristina Walker