

COMMISSION AGENDA

Item No: 10A

Meeting: 11/18/21

DATE: November 3, 2021

TO: Port Commission

FROM: Eric D. Johnson, Executive Director

Sponsor: Jason Jordan, Director, Environmental and Planning Services

Project Managers: Deirdre Wilson, Senior Planning Manager, and
Sean Eagan, Government Relations Director

SUBJECT: Tideflats Subarea Plan Briefing

A. BRIEFING REQUESTED

This memo provides an update on the status of the Tideflats Subarea Plan and the Industrial Lands Use Regulations.

Staff welcomes feedback from the Commission on next steps and general guidance on priorities for the Tideflats Subarea Plan as the City moves forward with updates to the Industrial Regulations outside of the subarea plan process.

B. SYNOPSIS

In 2017, the Commissioners resolved to partner with the City of Tacoma, Pierce County, and Puyallup Tribe of Indians on a Subarea Plan, acknowledging that the Port and the City had discussed the merits of a subarea plan for two years and agreed that a subarea planning process was the best course of action to comprehensively address land use, zoning, transportation, economic development, environmental, and infrastructure issues associated with the future of the Tideflats. Also in 2017, the City of Tacoma adopted the Tideflats Interim Regulations.

In 2018, as requested in the Port's 2017 Resolution, an Intergovernmental Agreement (IGA) for funding was signed by the Port, City of Tacoma, and Puyallup Tribe of Indians. The IGA was subject to approval by the Steering Committee of a Work Plan to include timeline, budget, deliverables, and the engagement process. Some key elements: economic prosperity for all; environmental remediation and protection; transportation and capital facility plan; public participation and outreach.

In 2019, the Steering Committee approved a Work Plan. The Work Plan includes the following sections: Vision, Timeline, Funding, Anticipated Outcomes, Plan Elements, Subarea Plan Process Governance, Project Initiation, Project Development, Plan Development, Planning commission and City Council Review and Decision.

In 2020, following a competitive selection process and a nod from the Steering Committee, the City of Tacoma contracted with BERK Consulting, Inc. to prepare a Draft Subarea Plan and EIS.

The subarea plan scope of work includes the following tasks, in addition to project management and project initiation:

Task	Status	Schedule
Engagement and facilitation	Ongoing	
Existing Conditions Analysis	Draft complete	
Economic development analysis	Draft complete	
Climate change and resiliency	Draft complete	
Visioning and alternative futures	Draft pending	Q4 2021
City Council review process	Future task	Q1 2022
EIS technical analysis	Future task	Q1 2022
Draft subarea plan	Future task	Q3 2022
Draft and final planned action EIS	Future task	Q3 2022
City Council review process	Future task	Q4 2022
Final Subarea Plan submittals	Future task	Q2 2023

In April 2021, The Tacoma City Council requested its Infrastructure Planning and Sustainability (IPS) subcommittee to review a proposal for non-interim industrial regulations prepared by the Planning Commission to replace the Tideflats Interim Regulations and create new industrial land use rules for the city.

C. SUBAREA PLAN FINANCIAL SUMMARY

Port of Tacoma Commission authorized by [Resolution 2017-12-PT](#) for an amount not to exceed \$500,000 for the subarea plan.

The total project cost is \$1.2 million, of which \$603,184.61 remains.

As of August 31, 2021, a total of \$569,915.39 in costs has been incurred for consultant services, paid as follows:

- City of Tacoma \$248,872.03
- Port of Tacoma \$248,872.03
- Puyallup Tribe of Indians \$99,071.33

D. DRAFT EIS ALTERNATIVES

For the Tideflats Subarea Plan, BERK is developing three potential future alternatives. One of the alternatives is based on 'no action', or the status quo, to give a baseline. The other two alternatives propose change, or 'action'. The findings and conclusions learned from playing out these alternative futures will inform the development of the actual Subarea Plan.

The following topics are being considered across the three alternatives: employment, industrial land supply, industrial zoning, industrial use concentration and location, transit-oriented development, buffers and transitions, habitat restoration and remediation, water quality, and response to sea level rise. Items proposed to remain constant across the alternatives, based on existing plans and programs, is transportation, utilities, capital facilities.

Subarea Plan development requires environmental review consistent with the Washington State Environmental Policy Act (SEPA). There are two types of environmental impact statements - “programmatic” and “project-level”, also sometimes referred to as “planning-level” and “site-specific” based on differences in their focus and level of detail.

A programmatic environmental impact statement (EIS) evaluates the effects of broad proposals or planning-level decisions that may include any, or all of, the following: A wide range of individual projects; Implementation over a long timeframe; and/or Implementation across a large geographic area. The level of detail is sufficient to allow informed choice among planning-level alternatives and to develop broad mitigation strategies.

The programmatic EIS does not evaluate project-level issues such as precise project footprints or specific design details that are not yet ready for decision at the planning level. Instead, a programmatic EIS is a means for examining the interaction among proposed plan elements, and for assessing cumulative effects.

Berk Consulting, working with the five-government staff team, have prepared three draft future alternative concepts for consideration by the Steering Committee in November and December.

Alternative 1 (no action) reflects the status quo, with roughly 95% of the land area zoned for core industrial uses. In the next two alternatives the land area dedicated to the core area of the Manufacturing and Industrial Center (MIC) is reduced to allow for expanded transition areas where more intense heavy maritime/industrial use would no longer be allowed.

Alternative 2 (action) suggests 80% land area zoned for core industrial uses. Alternative 3 (action) suggests 75% land area zoned for core industrial uses. The core area would be more focused on port and related industrial uses, restricting non-industrial uses.

The action alternatives explore options for restricting warehousing, allowing workforce housing, raising water quality standards near the Puyallup River, and identifying potential habitat areas. Port staff have alerted the project team that any reduction of land for port-related industrial uses is off the table and that the focus should be on the Work Plan Anticipated Outcomes.

E. WORK PLAN

The Tideflats Subarea Plan (TSAP) guiding document is the Work Plan approved by the five governments represented on the Steering Committee: City of Tacoma, Port of Tacoma, City of Fife, Peirce County, Puyallup Tribe of Indians. The table below lists the Anticipated Outcomes from the Work Plan and shares where we might look for these topics to be addressed during the project, or where they exist today. We are beginning the programmatic EIS phase of the project, listed here as (pending).

Tideflats Subarea Plan Work Plan	
Anticipated Outcomes	Look for this in the...
1. The Subarea Plan will protect the fisheries and shellfish resources that are essential to the tribe both culturally and economically and shall support continued growth of the regional economy and the currently estimated 29,000 existing family-wage jobs in the maritime, manufacturing and industrial sectors, the provision of infrastructure and services necessary to support these areas, and the important role of the Tideflats area as an economic engine for the City of Tacoma, Pierce County, state, and the region while protecting the livability of surrounding areas.	-Subarea Plan (future) -Port Strategic Plan
2. The Subarea Plan will support and consider transportation and infrastructure that promotes connectivity to other regional employment centers and will provide reasonably efficient access to the core area through transportation corridors to include freight.	-Subarea Plan (future) -EIS analysis (pending)
3. The Subarea Plan will establish environmental improvement goals for Commencement Bay, including providing for greater bay-wide diversity of ecosystems, restoration of historic functions and improvement of physical conditions to protect and enhance environmental and cultural resources	-Subarea Plan (future) -EIS analysis (pending)
4. The Plan will ensure the ability of the participating governments to compete effectively for grant funding.	-Subarea Plan (future)
5. The Plan will support, protect, and improve health and safety of area employees and residents of surrounding communities.	-Subarea Plan (future) -EIS analysis (pending)
6. The Subarea Plan will be consistent with Tacoma's adopted planning policies and goals, as well as state, regional, and federal law, policies, and regulations.	-Subarea Plan (future) -PSRC Plan checklist (future)
7. The Subarea Plan will retain sufficient planning flexibility to secure emerging port and manufacturing/industrial opportunities and other economic opportunities.	-Subarea Plan (future) -Container Port Element
8. The Subarea Plan will result in process improvements that will streamline Tideflat project permitting and environmental review and will provide predictable mitigation measures.	-City Development Regulations (future)
9. The Subarea Plan will materially preserve the area and boundaries of the Port of Tacoma Manufacturing and Industrial Center and will support resiliency strategies to prevent loss of manufacturing/industrial lands, transportation infrastructure, and environmental resources.	-Subarea Plan (future) -EIS analysis (pending) -Container Port Element

Tideflats Subarea Plan Work Plan	
Anticipated Outcomes	Look for this in the...
10. The Subarea Plan will promote and support opportunities for voluntary, proactive inter- jurisdictional plans and projects to clean up environmentally contaminated sites within the Tideflats.	-Subarea Plan (future) -EIS analysis (pending)
11. The Subarea Plan will define and protect the core areas of port and port related manufacturing/industrial uses within the city. The Subarea Plan will resolve key land use conflicts along the edges of the core area, and minimize and mitigate, to the extent practicable, uses that are incompatible with industrial uses along the edge of the core area. The Subarea Plan will evaluate the use of transitions and buffers as a means of addressing compatibility with surrounding communities.	-City Development Regulations (pending)
12. The Subarea Plan will be consistent with treaty-protected rights.	-Subarea Plan (future) -Land Claims Settlement
2021 Port Strategic Plan 2014 Container Port Element 1988 Land Claims Settlement	

F. INDUSTRIAL LAND USE REGULATIONS

Separate, but related to the subarea planning work, the Tacoma City Council is considering an [Ordinance](#) for Tideflats and Industrial Land Use Regulations. These code amendments, being considered this month, would replace the Tideflats Interim Regulations first adopted by the city in 2017 and extended incrementally thereafter.

The proposed Ordinance represents significant and meaningful new regulations and environmental protections for Tacoma’s industrial lands and the general community. The amendments also reflect the spirit and intent of the [Container Port Element](#). After a deliberate and focused review by the Council’s Infrastructure, Planning and Sustainability (IPS) Committee and many discussions and compromises, the proposal has been “perfected” to a more thoughtful and reasonable measure compared with earlier proposals.

Highlights of the Ordinance:

- Expanded notification of proposed rezones, land use designations, and heavy industrial project applications.
- New map of Port of Tacoma Manufacturing/Industrial Center map showing notice area.
- New definitions and clarity regarding petroleum fuels and cleaner fuels and infrastructure in light of goals to lower greenhouse gas emissions.
- New citywide prohibitions for mining, smelting, and manufacturing of explosives, fertilizer, and petrochemicals.

- New review criteria and added process for potentially hazard chemical manufacturing and processing uses.
- Enhanced environmental review process for fuel production and processing uses.
- Revised statements about industrial zones to add clarity and provide consistency with Container Port Element.
- New limits and process for certain non-industrial uses in the Port of Tacoma MIC.
- New Port of Tacoma Overlay District with housing density limits, location, and design standards for development in the residential zone above Marine View Drive.

Given the substantial time and resources spent on industrial land uses since 2017, Port staff recommend the completion of the Subarea Plan be redirected from land use to a focus on other plan elements. Assuming they are adopted, the new land use Ordinance measures should form the baseline to be carried across the three future Programmatic EIS Alternatives with a focus instead on other elements such as: environmental considerations (including the potential impacts related to climate change), economic development, utilities, and transportation.

In summary, staff suggests the city's separate process to amend the development regulations may satisfy the following Work Plan Anticipated Outcome number 11., above, related to manufacturing/industrial land uses.

G. ATTACHMENTS TO THIS BRIEFING

1. Draft Subarea Plan Guiding Principles dated 9/17/2021
2. Draft Subarea Plan EIS Alternative maps (3) dated October 2021
3. Summary of Tacoma Industrial Land Use Ordinance dated 10/26/2021
4. Intergovernmental Funding Agreement dated 11/15/2018
5. Work Plan dated 2/8/2019
6. BERK Scope of Work dated 2/7/2020

H. NEXT STEPS

The Steering Committee meets in November and December to review, discuss, and make a recommendation on the Draft Programmatic EIS Alternatives. Following recommendation, Tacoma will begin the city's formal process, which will include Planning Commission and City Council review. Once the formal city review process (approximately first 6-months of 2022) is complete the consultants will reengage for the formal public scoping phase of the as Programmatic EIS Alternatives. Ultimately, the findings and conclusions of the alternatives analysis will provide information about the impacts and mitigation options that will be considered in the development of the Tideflats Subarea Plan.

Note: Consistent with the [Work Plan](#), the Port will have the opportunity to make comments to Tacoma separate from the Steering Committee.