



May 17, 2023

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City Council, City of Tacoma  
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Mayor Woodards, City of Tacoma  
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**Re: City of Tacoma's Authority to Conduct a Health Impact Assessment for Proposed Bridge Industrial Warehouse Project**

Dear City of Tacoma officials:

We write on behalf of our clients 350 Tacoma and the South Tacoma Neighborhood Council to address the question of the City's authority to conduct a Health Impact Assessment for the proposed Bridge Industrial warehouse project.

As you may know, in comments on the City's proposed Mitigated Determination of Non-Significance and Critical Areas Development Permit, the Washington Department of Health,<sup>i</sup> Tacoma-Pierce County Health Department,<sup>ii</sup> Puget Sound Clean Air Agency,<sup>iii</sup> and EPA,<sup>iv</sup> as well as many organizations and individuals, urged the City of Tacoma to conduct a Health Impact Assessment for the Bridge Industrial project.

We understand that the City has answered these calls for a Health Impact Assessment by arguing that the City lacks the legal authority to conduct a Health Impact Assessment for the Bridge Industrial project.<sup>v</sup>

The City is incorrect for at least two reasons. First, a Health Impact Assessment is an available tool for the City to study a project's direct, indirect, and cumulative health impacts as part of an environmental and public health review under the State Environmental Policy Act (SEPA). Indeed, the Tacoma-Pierce County Board of Health passed a resolution recommending that the City conduct a Health Impact Assessment whenever it engages in an Environmental Impact Statement (EIS) review.<sup>vi</sup>

Second, there is nothing preventing the City from conducting a standalone study of the health impacts of a project such as Bridge Industrial’s proposed South Tacoma warehouse. **The City does not need to pause any permitting process in order to conduct a Health Impact Assessment.** Washington state law grants local officials broad authority to take measures necessary to maintain public health and safety under state law. *See generally* RCW 70.05.070. There is no law that restricts the exercise of the City’s power to study health impacts of private projects to the EIS process or that otherwise prohibits the City of Tacoma from conducting a standalone analysis of the health impacts of a proposed new industrial development.

There are compelling reasons to conduct a Health Impact Assessment for the Bridge Industrial warehouse project at whatever stage the permitting process is in.

Health Impact Assessments can identify cumulative impacts on the community and public health, helping communities and government decisionmakers understand how the compound effects of various government decisions affect the public health of the entire community and formulate plans to address identified community concerns.<sup>vii</sup>

This is particularly important when the potentially impacted community is already underserved and overburdened. *See id.* As the City acknowledged in its MDNS, the Bridge Industrial project will affect areas of South Tacoma that are already overburdened by environmental harms and disproportionately likely to experience negative health outcomes:

The census tract where the site is located, as well as the neighboring census tracts, are considered areas of “low” to “very low” opportunity per the City’s Equity Index[. . . ] Further, South Tacoma (based on zip code) is a Community of Focus for the Tacoma-Pierce County Health Department, based on health indicators such as reduced life expectancy, chronic health conditions, and other indicators of poor health.

MDNS ¶ 2.

Despite the lack of identified probable significant impacts, the site is located within an area of human health concerns, which warrants further analysis.

MDNS ¶ 16.

In addition, a Health Impact Assessment can meaningfully engage and empower communities by facilitating community outreach and increasing their familiarity with health data and local conditions that affect them every day.<sup>viii</sup> Transparency, community engagement, and the pursuit of the highest attainable environmental quality and health outcomes for all people are key components of environmental justice.<sup>ix</sup> The City should not abandon its pursuit of environmental justice simply because it has begun issuing permits.

We urge you to recognize your existing authority to conduct a Health Impact Assessment for the Bridge Industrial project, and to exercise that authority by beginning the HIA scoping process today.

Sincerely,

**Earthjustice**

Molly Tack-Hooper, Supervising Senior Attorney, Northwest Regional Office  
Marisa Ordonia, Senior Attorney, Northwest Regional Office

*On behalf of 350 Tacoma and South Tacoma Neighborhood Council*

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<sup>i</sup> Letter from Rad Cunningham, Senior Epidemiologist/Climate and Health Section Mgr., State of Wash. Dept. of Health, Office of Env'tl. Pub. Health Sci. (Sept. 9, 2022) (“We applaud the city’s agreement with Tacoma Pierce County’s recommendation to conduct a Health Impact Assessment (HIA) for this project” and “encourage expanding the HIA to be more comprehensive and to include a justice-focused community engagement approach.”).

<sup>ii</sup> Letter from Anthony L-T Chen, Dir. of Health, Tacoma-Pierce County Health Dep’t, *RE: Agency Expert Comment for LU21-0125* (Sep. 23, 2022) (“We recommend a more comprehensive, intermediate-level Health Impact Assessment (HIA) that actively engages community.”); Letter from Erica Wellborn, Env'tl. Health Specialist II, Tacoma-Pierce County Health Dep’t, *RE: SEPA Review, BNSF Tacoma* (Apr. 21, 2022) at 1 (“If the project is approved, we urge the City to make room for more public comment and community partnership” and asking the City to “make room to fully consider health.”); *id.* at 3 (requesting a Health Impact Assessment, citing 2016 TPCHD resolution recommending the City of Tacoma assess the health impacts of large projects, and noting that the proposed project qualifies as large and warrants an HIA).

<sup>iii</sup> Letter from Chrissy Cooley, Exec. Dir., Puget Sound Clean Air Agency, *RE: Agency Expert Comment for LU21-0125* (Sept. 30, 2022) (“A health impact assessment conducted by the Tacoma-Pierce County Health Department could provide an opportunity to further highlight these air quality issues.”).

<sup>iv</sup> U.S. EPA Comments on the Permit Application for the Bridge BNSF Warehouse Project (LU21-0125), Pierce County, WA (attached to Letter from Rebecca A. Chu, Chief, Policy & Env'tl. Review Branch, U.S. EPA (Sept. 16, 2022)) (“Consideration of the cumulative health impacts caused by the project . . . and other sources to communities with EJ concerns will also be important”); *id.* at 3 (urging the City to conduct “a more robust analysis of the project’s impacts to communities with EJ concerns including but not limited to public health concerns”); *id.* at 4 (recommending that the City to “[c]onduct a Health Impact Analysis (HIA)” and listing numerous deficiencies in Bridge Industrial’s Air Quality Study).

<sup>v</sup> See City of Tacoma, City Council Meeting (May 9, 2023) (comments of City Manager on authority to conduct HIA), [https://cityoftacoma.granicus.com/player/clip/6011?view\\_id=3&redirect=true&h=c77ff51f040f1c7fd54023f08f4924f6](https://cityoftacoma.granicus.com/player/clip/6011?view_id=3&redirect=true&h=c77ff51f040f1c7fd54023f08f4924f6); Memorandum to Peter Huffman, Dir. Planning & Dev’t Servs., from Steve Victor, Deputy City Attorney, *Whether the City possesses legal authority to pause or otherwise delay the processing of an administrative permit application to conduct a Health Impact Assessment (HIA)* (Oct. 5, 2022).

<sup>vi</sup> See Tacoma-Pierce County Bd. of Health, Resolution 2016-4482 (recommending that the City of Tacoma conduct a Health Impact Assessment “for all future large projects either as part of, or in coordination with, the environmental impact statement (EIS)”); Pierce County, Countywide Planning Policies (May 17, 2022) at H-3, 3.2, <https://www.piercecountywa.gov/DocumentCenter/View/92170/Countywide-Planning-Policies-adopted-by-2022-29?bidId=>; Letter from Erica Wellborn, Env'tl. Health Specialist II, Tacoma-Pierce County Health Dep’t, *RE: SEPA Review, BNSF Tacoma* (Apr. 21, 2022) at 3 (stating that the proposed Bridge Industrial project qualifies as a large project warranting an HIA under the 2016 TPCHD resolution).

<sup>vii</sup> See Tacoma-Pierce County Bd. of Health, Resolution 2016-4482.

<sup>viii</sup> See, e.g., Pierce County, Countywide Planning Policies (May 17, 2022) at H-4, 4.5, <https://www.piercecountywa.gov/DocumentCenter/View/92170/Countywide-Planning-Policies-adopted-by-2022-29?bidId=>.

<sup>ix</sup> Wash. Environmental Justice Task Force, *Recommendations for Prioritizing EJ in Washington State Government* (Fall 2020) at 37.