

SHORELINES HEARINGS BOARD  
STATE OF WASHINGTON

1			
2	ADVOCATES FOR A CLEANER TACOMA;	)	
3	SIERRA CLUB; WASHINGTON	)	
4	CONSERVATION ACTION EDUCATION FUND;	)	SHB NO. _____
5	WASHINGTON PHYSICIANS FOR SOCIAL	)	
6	RESPONSIBILITY; STAND.EARTH	)	
7		)	
8	Petitioners,	)	PETITION FOR REVIEW OF
9		)	REVISION LU22-0197 to
10	v.	)	SHORELINE SUBSTANTIAL
11		)	DEVELOPMENT PERMIT
12	CITY OF TACOMA, PUGET SOUND ENERGY	)	NO. SHR2015-40000246123
13		)	
14	Respondents.	)	
15		)	

**1. Identity of Petitioning Parties and Representatives**

The appealing parties are:

Advocates for a Cleaner Tacoma  
 2661 N. Pearl Street, #409  
 Tacoma, WA 98407  
 Tel: (253) 327-1056  
 Email: cleanertacoma@gmail.com

Sierra Club, Washington Chapter  
 180 Nickerson Street, Suite 202  
 Seattle, WA 98109  
 Tel: 206-378-0114  
 Email: kartik.raj@sierraclub.org

Washington Conservation Action Education Fund  
 1402 Third Ave, Suite 1400  
 Seattle, WA 98101  
 Tel: (206) 631-2600  
 Email: keith@waconservationaction.org

Washington Physicians for Social Responsibility  
 4500 9th Ave NE, Suite 300  
 Seattle, WA 98105  
 Tel: (206) 547-2630  
 Email: max@wpsr.org

1 Stand.Earth  
1329 N. State St. #302  
2 Bellingham, WA 98225  
Tel: (360) 734-2951  
3 Email: victoria@stand.earth

4 The representative of the appealing party is:

5 Jan Hasselman  
Earthjustice  
6 810 Third Avenue, Suite 610  
Seattle, WA 98104  
7 (206) 343-7340  
8 Email: jhasselman@earthjustice.org

## 9 **2. Identification of Other Parties**

10 Pursuant to WAC 461-08-350(2), the other parties in this appeal are the City of Tacoma  
and Puget Sound Energy. The Puyallup Tribe of Indians filed an appeal on December 12, 2023,  
11 of the same action (SHB No. 23-018), and this Board should consolidate the two appeals  
12 pursuant to governing rules. WAC 461-08-410(9) (authorizing presiding officer to consolidate  
13 appeals “when such consolidation will expedite disposition of the matters and avoid duplication  
14 of testimony and when the rights of the parties will not be prejudiced thereby”).

## 15 **3. Decision Being Reviewed**

16 This is petition for review of Revision LU22-0197 to Shoreline Substantial Development  
17 Permit SHR2015-40000246123 (the “SSDP Revision”) issued to Puget Sound Energy (“PSE”)  
18 authorizing the construction at the Tacoma Liquefied Natural Gas Project (“Tacoma LNG”). The  
19 City issued the SSDP Revision on November 28, 2023. A copy of the SSDP Revision is attached  
20 (Attachment 1).

## 21 **4. Short and Plain Statement Showing Grounds for Appeal**

22 The SSDP Revision is contrary to law because it is inconsistent with the requirements  
23 and intent of the Shoreline Management Act (“SMA”). Specifically, the SSDP Revision is  
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1 improper because it is not within the “scope and intent” of the original Substantial Development  
2 Permit, as required by under WAC 173-27-100, and is inconsistent with Tacoma’s Shoreline  
3 Master Plan. The City’s SSDP Revision is also improper because the SSDP expired before PSE  
4 submitted its application for the SSDP Revision on November 18, 2022. Finally, the City’s  
5 SSDP Revision violates the State Environmental Policy Act (“SEPA”) because the City failed to  
6 conduct any SEPA review prior to issuance of the revision, which changes the scope and  
7 environmental impact of the previously authorized project.

8 **5. Statement of Facts and Preliminary Identification of Issues**

9 In September 2014, the City of Tacoma initiated an environmental review for a shoreline  
10 substantial development permit for the Tacoma LNG project. The project would supply natural  
11 gas for PSE’s customers during periods of peak demand, known as “peak shaving,” as well as  
12 fuel for trucks and TOTE Marine, other as yet unknown marine customers for LNG fuel, as well  
13 as the loading of LNG barges for unidentified customers. The City of Tacoma issued Shoreline  
14 Substantial Development Permit SHR2015-40000246123 (“SSDP”), and a Final EIS pursuant to  
15 SEPA, on November 9, 2015.

16 During an appeal of the SSDP, PSE modified the proposal to remove the portion of the  
17 proposal involving the use of LNG for non-TOTE vessels or barges. PSE represented on several  
18 occasions, to regulators, courts, and other official bodies, that any change to the project to  
19 accommodate LNG barges or non-TOTE vessels would trigger new permitting and additional  
20 environmental review. To cite just one example, in PSE’s pre-hearing brief to this Board during  
21 the appeal of the SSDP, it represented that if it sought to accommodate other vessels and LNG  
22 barges in the future, it “would require a new SMA permitting and SEPA process.” The City  
23 similarly acknowledged that new permitting would be necessary prior to expansion of the project  
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1 to accommodate additional vessels and LNG barges. For example, in its public website for the  
2 project in 2018, the City represented as follows:

3 The City has specifically asked PSE to discuss what further permitting would be  
4 needed to accommodate bunker barging at the site. Without knowing what kind of  
5 vessels would propose to use the site, the permitting path cannot be determined.  
6 **However, it is recognized by all parties that additional shoreline permitting  
and public review, as well as additional review by the Coast Guard (which has  
authority over vessels) would be required.**

7 However, in authorizing the SSDP Revision, PSE and the City backtrack on these commitments.  
8 Instead, PSE requested, and the City issued, authorization to fuel non-TOTE vessels and LNG  
9 barges without a new permit and without any additional SEPA review, as a revision to the  
10 existing SSDP. That authorization is unlawful.

11 Changes to a project after a local government has issued a shoreline development  
12 permit are governed by WAC 173-27-100. A substantial development permit may be revised  
13 where the developer “proposes substantive changes to the design, terms or conditions of a  
14 project from that which is approved in the permit.” WAC 173-27-100. But to qualify for a permit  
15 revision, the local government must find that the proposed changes are within the “scope and  
16 intent of the original permit,” and “are consistent with the applicable master program and the  
17 act.” WAC 173-27-100(1). Where proposed changes are not within the scope and intent of the  
18 original permit, a new shoreline development permit is required.

19 A revision is within the “scope and intent” of the original permit under the following  
20 circumstances:

21 (a) No additional over water construction is involved except that pier, dock, or float  
22 construction may be increased by five hundred square feet or ten percent from the  
23 provisions of the original permit, whichever is less;

24 (b) Ground area coverage and height may be increased a maximum of ten percent  
25 from the provisions of the original permit;

(c) The revised permit does not authorize development to exceed height, lot  
coverage, setback, or any other requirements of the applicable master program

1 except as authorized under a variance granted as the original permit or a part  
thereof;

2 (d) Additional or revised landscaping is consistent with any conditions attached to  
3 the original permit and with the applicable master program;

4 (e) The use authorized pursuant to the original permit is not changed; and

5 (f) No adverse environmental impact will be caused by the project revision.

6 WAC 173-27-100(2).

7 The SSDP Revision does not meet these criteria. Specifically, it is inconsistent with  
8 WAC 173-27-100(a) because it involves “overwater construction.” It is inconsistent with WAC  
9 173-27-100(e) because the “use” has changed: from a project expressly limited to fueling two  
10 named cargo vessels to a project that is available for loading other unknown vessels as well as  
11 LNG cargo barges of unknown use and destination. And it is inconsistent with WAC 173-27-  
12 100(f) because the expansion of the project will have adverse environmental impacts, including  
13 additional marine traffic, on and off-shore safety risks, and interference with commercial and  
recreational activities.

14 The SSDP Revision was flawed in other respects too. Standards for permit revision after  
15 the original permit has expired are considerably stricter. For example, it is not possible to revise  
16 an expired permit to the extent that “the proposed change constitutes substantial development.”  
17 WAC 173-27-100(3). This project constitutes substantial development because of its dollar  
18 value. RCW 90.58.030(3)(e). Here, the original permit expired prior to its extension, or even the  
19 application for it, rendering its revision unlawful.

20 Additionally, a permit revision is only allowed where the proposed changes “are  
21 consistent with the applicable master program.” WAC 197-27-100(1). The City’s determination  
22 that this criterion was satisfied was flawed as well. For example, the applicable Shoreline Master  
23 Plan puts significant limits, and imposes requirements on, expansions of fuel terminals like this  
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1 one in order to protect shorelines waters and support reduction in greenhouse gas (“GHG”)  
2 emissions. For example, TMC 19.07.060(B)(3)(c) calls for establishing a “baseline” on fuel  
3 transshipment facilities based on Department of Ecology spill prevention plans or other more  
4 recent local permit. Any expansion beyond that baseline must mitigate for facility GHG  
5 emissions and triggers annual reporting and documentation. TMC 19.07.060(B)(3)(d). To the  
6 best of petitioners’ knowledge, Tacoma did not calculate a baseline, require mitigation, or  
7 impose any reporting requirements as required by this section, leaving the project inconsistent  
8 with Tacoma’s master program.

9       Moreover, expansion of existing “petroleum fuel facilities” is significantly constrained by  
10 the shoreline master program. For example, existing facilities “shall not exceed the established  
11 baseline,” and the code specifically prohibits “site or facility improvements that would increase  
12 the capacity of” a dock or pier. TMC 19.07.060(B)(3)(e). While there is a provision that allows  
13 for expansion of existing facilities that “would create the maximum proposed capacity of a  
14 facility that was the subject of an Environmental Impact Statement ... before November 16,  
15 2021,” that provision is qualified. To take advantage of this exemption, any proposed expansion  
16 must “remain[] subject to the full permit review process, including environmental review, as  
17 applicable...” TMC 19.07.060(B)(3)(e)(2)(c). Here, of course, the proposed changes were not  
18 subject to the “full permit review” process and hence this exception does not apply, leaving the  
19 project inconsistent with the Shoreline Master Program and ineligible for a permit revision.

20       Finally, the revision separately violates SEPA because the City failed to prepare a  
21 supplemental environmental impact statement to address changes to the project and new  
22 information on the impacts of transshipment of LNG that has emerged since the original EIS was  
23 finalized in 2015.

1 The failure to require a new permit and accompanying environmental review for this  
2 expansion has material consequences for petitioners as well as the public. The City conducted no  
3 public outreach, provided no opportunities for public input, did not share information with  
4 community members, or otherwise engage in any public process before authorizing the project  
5 expansion as a permit revision. Nor did the City conduct any additional SEPA review of any  
6 kind to examine the potential risks and consequences of expanding the project to allow  
7 intensified use of the Blair waterway and substantially expanded movement of dangerous fuel  
8 cargoes in Commencement Bay and Puget Sound.

9 **6. Interests of the Petitioners**

10 Petitioners Advocates for a Cleaner Tacoma, Sierra Club, Stand.Earth, Washington  
11 Physicians for Social Responsibility, and Washington Conservation Action Education Fund are  
12 non-profit organizations that represent thousands of members and supporters dedicated to  
13 protecting the environment, and communities living in and around the Port of Tacoma.  
14 Petitioners' members and supporters work and live near the project and around the region that  
15 will be impacted by increased transshipment of LNG. They have submitted letters to the City of  
16 Tacoma objecting to authorization of this expansion and seeking full permit and SEPA review.

17 Issuance of the SSDP Revision injures Petitioners in several ways. First, expanded  
18 operation of the Tacoma LNG facility would increase the amount and throughput of dangerous  
19 methane gas in close proximity to densely populated urban neighborhoods, and poses the risk of  
20 fire or explosion that threatens the safety of Petitioners' members and supporters. Second,  
21 expanded operation of the facility would cause emissions of hazardous pollutants, including  
22 benzene, a carcinogen, and other criteria pollutants that contribute to smog formation. Emission  
23 of these pollutants would worsen air quality in and around the Port of Tacoma, which already has  
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1 poor air quality due to industrial activities, and would thereby expose members living near to the  
2 Project to higher levels of dangerous pollutants that could adversely affect their health. The  
3 project already has a poor record of compliance with air emissions standards and has been cited  
4 numerous times in the short amount of time that it has been operating. Expanded operations  
5 would increase the likelihood and severity of such violations. Third, authorizing expanded use of  
6 the project for LNG barges and additional unknown LNG-fueled vessels increases the risks of  
7 marine accidents, including fuel spills, collisions, explosions and other incidents, all of which  
8 would severely harm the ecology of the marine waters of Puget Sound and represent safety  
9 threats to petitioners and the public. Finally, expanded use of the Project would result in  
10 significant increases in Washington State's contribution to global emissions of greenhouse  
11 gasses and other pollutants and undermine local and regional efforts to protect air quality and  
12 address climate change, and represents a safety risk to the community. Petitioners anticipate  
13 filing evidence to support their standing prior to hearing.

14 **7. Relief Requested**

15 Petitioners request that the Board: a) immediately stay the effectiveness of the SSDP  
16 Revision; and b) following a resolution of Petitioners' claims via dispositive motion or  
17 evidentiary hearing, declare the Revision to be unlawful and vacate it.

18 Respectfully submitted this 15th day of December 2023.

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20  
21 JAN E. HASSELMAN, WSBA # 29107  
22 Earthjustice  
23 810 Third Ave., Suite 610  
24 Seattle, WA 98104  
25 Ph: (206) 343-7340  
jhasselman@earthjustice.org



Attorney for Petitioners *Advocates for a Cleaner Tacoma; Sierra Club; Washington Conservation Action Education Fund; Washington Physicians for Social Responsibility; Stand.Earth*

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1 **CERTIFICATE OF SERVICE**

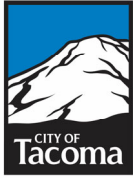
2 The undersigned certifies under penalty of perjury under the laws of the State of  
3 Washington that on December 15, 2023, they caused the foregoing PETITION FOR REVIEW  
4 OF REVISION LU22-0197 to SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT NO.  
5 SHR2015-40000246123 to be filed with the Shoreline Hearings Board via CMS e-filing and to  
6 be served upon the following person(s) in the manner indicated.

<p>7 Washington Department of Ecology Attn: Appeals Processing Desk 8 PO Box 47608 Olympia, WA 98504-7608 9 E-mail: <a href="mailto:ecologyappeals@ecy.wa.gov">ecologyappeals@ecy.wa.gov</a></p> <p>10 <input checked="" type="checkbox"/> Via Certified Mail <input checked="" type="checkbox"/> Via E-mail</p>	<p>Washington Attorney General’s Office 1125 Washington Street SE PO Box 40100 Olympia, WA 98504-0100 E-mail: <a href="mailto:serviceATG@atg.wa.gov">serviceATG@atg.wa.gov</a></p> <p><input checked="" type="checkbox"/> Via Certified Mail <input checked="" type="checkbox"/> Via E-mail</p>
<p>12 Lorna Luebbe Registered Agent Puget Sound Energy 13 355 110th Avenue NE, EST 11 Bellevue, WA 98004</p> <p>14 <input checked="" type="checkbox"/> Via Certified Mail</p>	<p>Puget Sound Energy c/o Tadas Kisielius Van Ness Feldman, LLP 1191 Second Avenue Suite 1800 Seattle, WA 98101 E-mail: <a href="mailto:tak@vnf.com">tak@vnf.com</a></p> <p><input checked="" type="checkbox"/> Via E-mail</p>
<p>17 City of Tacoma Planning &amp; Development Service Department 747 Market Street, Room 345 Tacoma, WA 98402 E-mail: <a href="mailto:shirley.schultz@cityoftacoma.org">shirley.schultz@cityoftacoma.org</a> 19 <a href="mailto:phuffman@cityoftacoma.org">phuffman@cityoftacoma.org</a></p> <p>20 <input checked="" type="checkbox"/> Via Legal Messenger <input checked="" type="checkbox"/> Via E-mail</p>	<p>City Attorney’s Office City of Tacoma Attn: Steve Victor, Deputy City Attorney 747 Market Street, Room 1120 Tacoma, WA 98402 E-mail: <a href="mailto:svictor@cityoftacoma.org">svictor@cityoftacoma.org</a></p> <p><input checked="" type="checkbox"/> Via Legal Messenger <input checked="" type="checkbox"/> Via E-mail</p>

22 Dated this 15<sup>th</sup> day of December 2023, at Seattle, Washington

23 /s/ Adam Hinz  
Adam Hinz  
24 Litigation Paralegal

# Attachment 1



November 28, 2023

Puget Sound Energy  
Attention: Jake Green  
1001 East Alexander Avenue  
Tacoma WA 98421

via electronic mail

**RE: Shoreline Permit Revision (LU22-0197) to  
Shoreline Substantial Development Permit SHR2015-40000246123**

Dear Mr. Green:

I am in receipt of your request (attached) for a revision to the Puget Sound Energy (PSE) Liquefied Natural Gas (LNG)/Totem Ocean Trailer Express (TOTE) Fueling Dock Permit under our file number SHR2015-40000246123 (see Exhibit A<sup>1</sup>), as effective on December 31, 2015, with a final decision on appeal issued by the Shorelines Hearings Board on July 18, 2016 (Exhibit B). The permit was subsequently appealed and a final decision issued May 14, 2018 by the Washington State Court of Appeals (Exhibit B). In addition, the permit was extended per the provisions in Washington Administrative Code (WAC )173-27-090 (LU23-0045) through May 14, 2024.

The original Shoreline Substantial Development Permit (SSDP) was for the development of the Tacoma LNG liquefaction and peak-shaving facility and TOTE marine vessel fueling LNG System. Work in the shoreline jurisdiction included a barge loading facility in the Hylebos Waterway and fueling equipment for TOTE in the Blair Waterway, to include demolition, stormwater outfall maintenance, and site preparation.

An Environmental Impact Statement (EIS) for all project aspects was completed and issued along with the decision on the SSDP; that EIS was not appealed. However, as revised per stipulation from PSE, the proposal for barge loading in the Hylebos Waterway was withdrawn. This agreement was reflected in the Shorelines Hearings Board decision and further appeal and permitting decisions.

The remaining work in and along the Blair Waterway was constructed<sup>2</sup> as originally proposed:

- In the Blair Waterway Shoreline Area: Ground improvement columns and TOTE marine vessel fueling system, including a portion of the underground cryogenic pipeline; underground/aboveground pipeline transition point (receiving pit); trestle; loading platform and loading arm; catwalk; and one breasting dolphin.
- An 81-foot-long by 33-foot-wide (2,673 ft<sup>2</sup>) concrete trestle constructed adjacent to the existing aft loading platform.

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<sup>1</sup> All exhibits are contained in Planning and Development Services File No. LU22-0197. They are referenced and incorporated herein as though fully set forth.

<sup>2</sup> BLDCN16-0072 (finalized 10/16/2020) and BLDCN17-0103 (complete 1/7/2021) are the most relevant permits for the Blair structure and improvements.

- Twelve 30-inch-diameter steel pipe piles to support the trestle.
- 69-foot-long by 32-foot-wide (2,208 ft<sup>2</sup>) concrete loading platform.
- Twenty 30-inch-diameter steel pipe piles to support the platform.
- The fender system, with up to ten 14-inch-diameter steel pipe piles with a rub strip facing on each fender pile.
- The loading platform, outfitted with cryogenic marine hoses or loading arms to facilitate the transfer of LNG from the TOTE Marine Vessel Fueling System into the fueling system of TOTE cargo ships.
- A 645 ft<sup>2</sup> steel-grated catwalk to provide line-handlers access to the onshore mooring point with two 18-inch-diameter steel pipe piles to support the catwalk.
- One 225 ft<sup>2</sup> breasting dolphin; the first dolphin located north of the existing aft loading pier will include four 30-inch diameter steel pipe piles.
- Cryogenic pipeline.

All work has taken place on a parcel owned by the Port of Tacoma, zoned S-10 Shoreline District – Port Industrial, S-13 Shoreline District – Marine Waters of the State, and Port Maritime Industrial District, (PMI).

The current proposal<sup>3</sup> is for additional fueling infrastructure to be installed on the TOTE dock. This equipment will include a loading platform installed on top of the deck. The platform will enable fueling of additional vessels and will include hoses, valves, piping, safety equipment, and vapor capture/return lines. The equipment will be entirely within the existing dock surface, with no new in-water work and minimal shading impacts.

The revision request has been reviewed by Lisa Spadoni, Natural Resources Program Manager, along with the original and revised materials for the original permit. Ms. Spadoni's review notes there will be no impacts to the critical areas on the site and no further review with respect to critical areas is required for this new equipment.

### **Analysis**

WAC 173-27-100 states "A permit revision is required whenever the applicant proposes substantive changes to the design, terms or conditions of a project from that which is approved in the permit. Changes are substantive if they materially alter the project in a manner that relates to its conformance to the terms and conditions of the permit, the master program and or the policies and provisions of chapter 90.58 Revised Code of Washington (RCW)". WAC 173-27-100(1) states "If local government determines that the proposed changes are within the scope and intent of the original permit, and are consistent with the applicable master program and the act, local government may approve a revision".

It has been determined that your revision, which would result in additional vessel loading in the Blair Waterway, where the entitlement permits only referenced fueling of TOTE vessels, is a substantive change to the approved Shoreline Substantial Development Permit and is within the parameters provided by the WAC.

Your revision request has been reviewed pursuant to the regulations set forth in WAC 173-27-100 and the City has determined that it is consistent with all the criteria contained therein. WAC 173-27-100(2) defines "within the scope and intent" to mean:

- (a) No additional over water construction is involved except that pier, dock, or float construction may be increased by five hundred square feet or ten percent from the provisions of the original permit, whichever is less;

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<sup>3</sup> BLDCA22-0395 is currently under review, awaiting a final decision on the SSDP revision.

*Analysis: no additional over water construction is proposed.*

- (b) Ground area coverage and height may be increased a maximum of ten percent from the provisions of the original permit;

*Analysis: no additional ground area coverage is proposed. The height of the loading platform and equipment is less than the existing infrastructure on the site.*

- (c) The revised permit does not authorize development to exceed height, lot coverage, setback, or any other requirements of the applicable master program except as authorized under a variance granted as the original permit or a part thereof;

*Analysis: all development standard requirements of the Tacoma Shoreline Master Program will be met.*

- (d) Additional or revised landscaping is consistent with any conditions attached to the original permit and with the applicable master program;

*Analysis: No work upland is being proposed.*

- (e) The use authorized pursuant to the original permit is not changed;

*Analysis: The authorized use of the dock is for vessel fueling. This use will not change. The designation for the site is port-maritime industrial, and the use is water-dependent, within the goals and policies of both the Shoreline Management Act and the Tacoma Shoreline Master Program.*

- (f) No adverse environmental impact will be caused by the project revision.

*Analysis: The proposed barge loading was included in the full project scope reviewed under the PSE LNG Final EIS as issued November 9, 2015. The relocation of additional fueling infrastructure from the Hylebos to the Blair will result in fewer direct environmental impacts (no dock in the Hylebos waterway), whereas the impacts from vessel traffic and fuel transfers were addressed and mitigated for in the EIS.*

Further, the WAC requires that any revision demonstrate consistency with the applicable Shoreline Master Program. The proposal has been reviewed for compliance with Tacoma Municipal Code (TMC) Title 19. Of note, modifications to existing development for the purposes of vessel fueling are allowed provided overall capacity of the facility does not increase. The current capacity of the TOTE dock will not change (the dock only allows one vessel at a time), nor will the throughput or liquefaction limits of the LNG facility increase as a result of this proposal. Provided the barge loading is solely to fuel vessels, the proposal is in compliance with TMC 19.

Having demonstrated consistency with the revision criteria for the shoreline permit, particularly no additional environmental impact, the revised proposal remains consistent with the Tacoma Shoreline Master Program provided the following conditions are met:

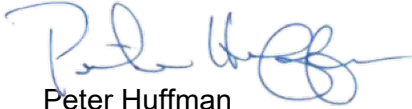
1. All work under the original permit and the revision must be completed within five years of the effective date of the permit as extended to May 14, 2024.
2. Barge loading at the pier is solely for the purposes of vessel fueling. LNG loaded onto vessels may not be used for export, peak shaving, or feedstock.

Therefore, your request for a revision is hereby approved by the City of Tacoma and, pursuant to WAC 173-27-100(7), is effective immediately as of the date of this letter. Pursuant to WAC

173-27-100(8), appeals shall be in accordance with RCW 90.58.180<sup>4</sup>. Per WAC 173-27-100(5), this decision is being transmitted to all parties of record as noted below.

Should you have questions or comments with the above matter please contact Shirley Schultz, (253) 345-0879.

Sincerely,



Peter Huffman  
Director, Planning and Development Services

**FULL DECISION TRANSMITTED** by first class mail / email to:

WSP USA, Attention: Brian Carrico, 210 E. 13th Street, Suite 300, Vancouver WA 98660-3231  
Puyallup Tribe of Indians, Attention: Andrew Strobel, [Andrew.Strobel@PuyallupTribe-nsn.gov](mailto:Andrew.Strobel@PuyallupTribe-nsn.gov)  
Washington Department of Ecology, Shorelands & Environmental Assistance Program - Zach Meyer, [zmey461@ecy.wa.gov](mailto:zmey461@ecy.wa.gov)  
Washington Department of Fish and Wildlife (Commencement Bay), Liz Bockstiegel, [R6SSplanning@dfw.wa.gov](mailto:R6SSplanning@dfw.wa.gov)  
U.S. Fish & Wildlife Service, Attn: Judy Lantor, [judy\\_lantor@fws.gov](mailto:judy_lantor@fws.gov)  
U.S. Environmental Protection Agency, Region 10, Justine Barton, [barton.justine@epa.gov](mailto:barton.justine@epa.gov)  
Port of Tacoma, Tony Warfield, [twarfield@portoftacoma.com](mailto:twarfield@portoftacoma.com)  
Tacoma Pierce County Health Department, [sepa@tpchd.org](mailto:sepa@tpchd.org)  
U.S. Army Corps of Engineers, Dan Krenz, [daniel.a.krenz@usace.army.mil](mailto:daniel.a.krenz@usace.army.mil)  
U.S. Army Corps of Engineers, Halie Endicott, [halie.endicott@usace.army.mil](mailto:halie.endicott@usace.army.mil)  
Earthjustice, Jan E. Hasselman, [jhasselman@earthjustice.org](mailto:jhasselman@earthjustice.org), and Jaimini Parekh, [jparekh@earthjustice.org](mailto:jparekh@earthjustice.org)

**SUMMARY DECISION TRANSMITTED** by first class mail / email to:

All Owners of property and residents within the Port of Tacoma Manufacture/Industrial Center and within a 2500-foot radius of its boundaries  
Parties of record to SHR2015-40000246123

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<sup>4</sup> Any person aggrieved by the granting, denying, or rescinding of a permit on shorelines of the state pursuant to RCW [90.58.140](#) may seek review from the shorelines hearings board by filing a petition for review within twenty-one days of the date of receipt of the decision as provided for in RCW [90.58.140](#)(6). (RCW 90.58.180(1))