



City of Tacoma
Planning and Development Services
Report And Decision

**SHORELINE SUBSTANTIAL
DEVELOPMENT PERMIT**

File No. LU19-0066

APPLICANT: Troy Goodman
SeaPort Sound Terminal, LLC
4130 East 11th
Tacoma, WA 98422

SUMMARY OF REQUEST:

The applicant is requesting a Shoreline Substantial Development Permit and environmental review for the installation of four new rail spurs with transfer equipment through the central and eastern side of the site to reduce the number of rail car switches onto and off of the site from Taylor Way. Project also includes enhancements to rail safety and site-wide fire suppression safety, as well as relocation of LPG truck transfer east of the new rail spurs. The site is zoned S-10 Shoreline District – Port Industrial, and PMI – Port Maritime Industrial District. SEPA is required for the shoreline permit, as well as the fill and grade quantities at the site.

LOCATION:

1621 Taylor Way, Parcel 0321264054

DECISION:

The requested permit is **Approved** subject to conditions regarding traffic safety and fire/public safety mitigation, as well as usual conditions.

NOTE: Last day to request reconsideration **November 14, 2019**.

This decision will be final on **November 15, 2019** and will be transmitted to the Department of Ecology at that time, provided no requests for reconsideration are timely filed as identified in APPEAL PROCEDURES of this Report and Decision. Upon receipt by Department of Ecology, a 21-day appeal period will begin.

For additional information concerning this land use permit please contact:

Shirley Schultz, AICP
Planning and Development Services
747 Market Street, Room 345, Tacoma, WA 98402
253-591-5121 or shirley.schultz@cityoftacoma.org

SUMMARY OF RECORD

The following attachments and exhibits constitute the administrative record:

Attachments:

- A. Plans and Vicinity Map
- B. Proposed Landscaping Area
- C. Technical Memorandum, Karla Kluge, Senior Environmental Specialist
- D. Traffic Review memorandum
- E. Comment Letter, Department of Ecology

Exhibits:¹

- A. Determination of Environmental Non-significance, including SEPA Checklist
- B. JARPA, March 20, 2019
- C. Project Description and Shoreline Compliance Narrative
- D. Critical Areas Report, Anchor QEA
- E. Cultural Resources Assessment
- F. Traffic Impact Analysis
- G. Comments from reviewing staff
- H. City Comment response memorandum
- I. Agency/Organization Comments
- J. Public Comments
- K. Applicant's Public Comment response memorandum
- L. City Response to Public Comments
- M. Applicable provisions of the Tacoma Shoreline Master Program
- N. List of public commenters
- O. Recording of public information meeting, June 13, 2019

The Director of Planning and Development Services (Director) enters the following Findings and Conclusions based upon the applicable criteria and standards set forth in the Tacoma Municipal Code, Tacoma Shoreline Master Program, and Washington Administrative Code, as well as the attachments and exhibits listed above.

FINDINGS

Proposal:

1. The applicant is requesting a Shoreline Substantial Development and environmental review to install four new rail spurs with transfer equipment, to include enhancements to rail safety and fire-suppression equipment. The adjacent Hylebos Waterway is a Fish and Wildlife Habitat Conservation Area (FWHCA), which has a 50-foot marine buffer that extends landward onto the subject site. Work taking place within the 50-foot marine buffer will consist of the installation of required landscaping.
2. The purpose of the project is to reduce the number of switching operations for rail cars at the site and reduce the amount of time that trains and train cars are staged on Tacoma Rail Property. The number of car-unloading stations would increase from 36 to 68 on the site. Overall rail movements and blockage of Taylor Way would decrease.

¹ All Exhibits are contained in Planning and Development Services File No. LU19-0066 and are referenced and incorporated herein as though fully set forth.

3. The applicant is not proposing to increase facility throughput beyond that which is currently authorized through permitting from the Puget Sound Clean Air Agency.
4. Work within the 200-foot shoreline jurisdiction includes the following:
 - Site preparation activities, including installing temporary construction and erosion control features as stormwater best management practices;
 - Demolishing an existing building and a concrete pad, and relocating miscellaneous equipment and trailers as needed;
 - Excavation and placement of ballast rock to provide structural support for the four new rail spurs and appurtenances;
 - Installing four new rail spurs with transfer equipment and appurtenances including approximately 36 transfer platform foundations, utilities, piping to the new rail car unloading locations, a contact water vault, and contact water inlets and drain lines;
 - Installing a fire suppression water system with hydrants and water connections;
 - Replacing portions of an existing galvanized security fence outside of the 50-foot shoreline marine buffer area with a PVC coated fence;
 - Planting required 10-foot landscaping along the shoreline; and
 - Continued operation of the project property as a rail and truck transfer facility.
5. Best management practices (BMPs) will be utilized to ensure that no construction materials enter the water.
6. All ground-disturbing activities will be conducted in accordance with Department of Ecology Agreed Orders. (See Attachment E for comments from Ecology.)
7. TMC 13.10.2.4.2 requires application for a substantial development permit to include a Joint Aquatic Resources Permit Application (JARPA) and technical reports addressing the ecological conditions of the site when there are activities in a marine buffer or FWHCA. The JARPA is included as Exhibit B.

Project Site:

8. The subject site is located along the Hylebos Waterway/Commencement Bay in the S-10 Shoreline District – Port Industrial, and the PMI – Port Maritime Industrial District. Marine waters and shorelands extending 200 feet from the ordinary high water mark (OHWM) of Commencement Bay are regulated under Tacoma Municipal Code (TMC) 13.10 Shoreline Management.
9. The site is fully developed with a rail and truck transfer facility, including three rail spurs (initially permitted in 2005) which are used to transfer fuel products from SeaPort’s Marine View Drive site (via pipeline) to truck and rail. The site also stores liquefied petroleum gas (LPG) and provides for loading/unloading of that material. The current rail spurs will accommodate approximately 36 rail cars on the site at a time.
10. The Shoreline Environment designation for the site is “high intensity” – the purpose of which is to “provide for high-intensity water-dependent and water-oriented mixed-use commercial, transportation, and industrial uses while protecting existing ecological functions and restoring ecological functions in areas that have been previously degraded.”
11. The use of the site is considered to be “water-related” per the definitions of the TMC.
12. The project is being reviewed for impacts to critical areas and their associated buffers. TMC 13.10.2.4.2 allows staff to review the site and inventories to determine the presence of critical areas. Review of the project included a site visit to verify the conditions and critical areas in the vicinity. Review of readily available information included the City of Tacoma

govME maps, Washington Department of Fish and Wildlife inventories for Priority Habitat and Species, and National Marine Fisheries Service and U.S. Fish and Wildlife websites for federally listed species and Critical Habitat.

13. Activities in a critical area and associated buffer are regulated and there is a Fish and Wildlife Habitat Conservation Area adjacent to and a marine buffer located on the project site; all work other than shoreline plantings will take place outside the marine buffer. TMC 13.10.6.4 designates critical areas and provides policies and regulations to protect critical areas.

Surrounding Area:

14. The surrounding area is zoned PMI – Port Maritime Industrial District, S-10 Shoreline District – Port Industrial, and S-13 Shoreline District – Marine Waters of the State.
15. The surrounding area is developed with high-intensity shipping, industrial, and manufacturing activities. The area is largely covered with impervious surfaces and vehicle infrastructure.

Additional Information:

16. The City of Tacoma, as SEPA Lead Agency, is issuing a SEPA Determination of Environmental Nonsignificance concurrently with this decision (Exhibit A). The City has determined that the project is unlikely to result in adverse environmental impacts to traffic, public safety, water quality, or other elements of the environment. See Attachments C-E, Exhibit A, and the conditions herein.
17. In addition, specific regulations for all shoreline development are set forth in TMC13.10.6, related to the following (see Exhibit M for relevant sections of the TMC):
 - Setbacks
 - Signage
 - Parking
 - Archaeological and Cultural Preservation
 - Public access
 - Critical area and vegetation preservation
 - Water quality
18. With respect to these subjects, the Director would note that no deviations from required standards are proposed with the development. Further, no signage or parking within the shoreline district is proposed with the development.
19. The project is a private project which does not affect the provision of or the demand for public access per TMC13.06.10.6.5. Further, the proposal is for a water related industrial use where public access would present a safety and security risk. Therefore no public access provision (or fee-in-lieu) is required.
20. The facility operations are regulated by other state and federal entities including rules promulgated by the Washington Department of Ecology and the Puget Sound Clean Air Agency.
21. With regards to critical areas, vegetation, and water quality, the plans and project proposal were reviewed by Karla Kluge, Senior Environmental Specialist and subject matter expert for the Planning and Development Services Department. Ms. Kluge has reviewed the submitted Critical Areas Report (Exhibit D) and concurs that there are no impacts to the 50-foot marine buffer. The Director would note that substantial weight is given to Ms. Kluge's

review of the proposal for potential effects on critical areas. Ms. Kluge's Technical Memorandum is marked as Attachment B.

22. The TSMP, under TMC 13.10.6.7 Views and Aesthetics, requires landscaping along the shoreline when the upland portion of the site is developed. In this case, the proposal does not impact the marine buffer or the in-water critical area; however, landscaping is required as a condition of the upland development. The applicant has proposed the appropriate planting area (Attachment B); detailed landscape plans and monitoring provisions will be a required condition of this Permit.

Public and Agency Comments:

23. The application was determined to be complete for review on April 9, 2019, and is reviewed per the codes and policies in place at that time.
24. Written notice of the application and copies of the project plans and the JARPA were originally transmitted to the reviewing local, state, and federal resource agencies on May 21, 2019. Comments received are included as Exhibit I to this Decision and are incorporated as conditions where appropriate.
25. Representatives from several City departments met with staff from the Puyallup Tribe of Indians on July 10, 2019 to discuss the project. Questions and comments were received and responded to; these comments are incorporated with City Staff and agency comments in Exhibit H.
26. Public notice was sent to all owners of property within 2500 feet of the boundaries of the Port of Tacoma M/IC on May 21, 2019. A public information meeting was held on June 13, 2019. Multiple public comments were received both in writing and at the meeting; those comments are included as Exhibit J to the report and decision.
27. The applicant provided a response to public comments July 30, 2019. That response is included as Exhibit K to the report and decision.
28. In general, the Director understands the substance of the public comments to be the following:
- The additional rail unloading capacity will result in an increase in throughput of fossil fuels, which requires additional review for environmental impacts;
 - Environmental impacts from the production and consumption of fossil fuels including air quality and climate change;
 - Public safety impacts from transporting fossil fuels by train, truck, barge, and pipe (e.g., emergency preparedness, flammability);
 - Water and soil quality concerns with the potential to encounter contamination and/or for contaminants to enter ground or surface water; and
 - Concern about the expansion of the fuel industry in the Port of Tacoma.
29. In response, the Director would note the following:
- The industrial use for the storage and transfer of fuels is a legally established use in the S-10 and PMI districts; the applicant is not requesting an expansion in storage, or processing capacity, nor is the applicant pursuing increases in throughput beyond that which is currently permitted. (Had an expansion been proposed, there is not a limitation on the expansion of a legally-established use in the district.)
 - The intent and purpose of the Shoreline Management Act and the Tacoma Shoreline Master Program is to allow for water-dependent and water-related uses (and, in the S-10, industrial/port uses specifically) while protecting environmental quality. All

documents and studies have been reviewed by the City and have been found to meet requirements for environmental protection. This includes the anticipated compliance with all construction and industrial stormwater management permits.

- Public safety and traffic impacts from the proposal have been reviewed by the City Engineer and the Tacoma Fire Department. The City of Tacoma Public Works Department, Traffic Division, has provided a review memorandum relating to the project.
- The applicant will be required to demonstrate continued compliance with adopted operational procedures for safe handling of hazardous materials, as well as with all emergency and spill response plans.
- The applicant will comply with all requirements for construction and operation of the rail facility, including all cleanup responsibilities for any potentially contaminated soil that would be encountered at the site.
- The purpose of the proposal is to allow SeaPort and Tacoma Rail to manage a greater number of train cars on the site at any given time. The proposal does not allow SeaPort to increase throughput and/or the associated air emissions that are currently regulated and monitored under permitting from Puget Sound Clean Air Agency.

30. Additional comments were received related to the public notice process and pending City legislation related to industrial uses in the Port of Tacoma. A brief response to those comments is included as Exhibit L.

31. The applicant provided a Traffic Impact Analysis (Exhibit F) related to the changes in traffic patterns. The TIA was reviewed by the City of Tacoma Public Works Department, Traffic Engineering Division. The Division has provided comments and conditions appropriate to the project to address the changes in rail traffic at the site; see Attachment D.

Conclusion of Law as Finding of Fact:

32. Any conclusion of law hereinafter stated which may be deemed a finding of fact herein is hereby adopted as such.

CONCLUSIONS

Jurisdiction:

1. The Planning Director has jurisdiction in this matter. See TMC Section 13.05.030.

Burden of Proof:

2. The applicant bears the burden of proof to demonstrate the proposal's consistency with the policies of the Tacoma Shoreline Master Program and the Comprehensive Plan, including its implementing regulations set forth in TMC Chapter 13.10, with policies of the Shoreline Management Act (SMA), the criteria set forth in the Washington Administrative Code (WAC) for the approval of Substantial Development Permits, and other applicable City ordinances.

Applicable Regulations:

3. WAC 173-27-140 Review criteria for all development:

(1) No authorization to undertake use or development on shorelines of the state shall be granted by the local government unless upon review the use or development is determined to be consistent with the policy and provisions of the Shoreline Management Act and the master program.

4. WAC 173-27-150 allows that:

- (1) A substantial development permit shall be granted only when the development proposed is consistent with:
 - (a) The policies and procedures of the act;
 - (b) The provisions of this regulation; and
 - (c) The applicable master program adopted or approved for the area. Provided, that where no master program has been approved for an area, the development shall be reviewed for consistency with the provisions of chapter 173-26 WAC, and to the extent feasible, any draft or approved master program which can be reasonably ascertained as representing the policy of the local government.
 - (2) Local government may attach conditions to the approval of permits as necessary to assure consistency of the project with the act and the local master program
5. Applicable regulations of the TSMP are included as Exhibit M to this report and decision.
- a. With respect to 6.1–Shoreline Use, the proposed use is an allowed industrial/port use in the S-10 district and is considered water-related inasmuch as there are economic and practical considerations in locating in a shoreline area.
 - b. With respect to 6.2–Site Planning the proposal will meet all dimensional, yard, setback, height, and other locational requirements of the TMC. The development has been sited to avoid impacts to the critical area buffer on the site.
 - c. With respect to 6.3–Archaeological, Cultural and Historic Resources the applicant has provided a Cultural Resources Analysis and will follow an Unanticipated Discovery Plan. Given the nature of the site and the work, it is unlikely that any resources will be encountered during the project construction.
 - d. With respect to 6.7–Views and Aesthetics, as noted previously, the applicant will be installing the required landscaping along the shoreline edge, except where infeasible due to stormwater infrastructure.
 - e. With respect to 7.6–Port/Industrial Use, the proposal will not result in any net loss to ecological functions, will comply with all air and quality regulations, and will adhere to all best management practices for site operation (including spill and emergency response).
 - f. With respect to 7.11–Transportation the TMC notes that new rail is a conditional use, except for rail spurs on private property, as is the case here.
 - g. With respect to 8.3–Fill and Excavation and to 8.4–Clearing and Grading., there will be no impacts to buffers, and the work will be integrated with an existing, legally permitted use. The fill/grade activity on the site will have no impacts to the function of the shoreline.

Conclusions:

6. Any finding set forth above which may be deemed a conclusion is hereby adopted as such.
7. The project as described is generally consistent with the stated intent of the S-10 Shoreline District, as well as with the objective of the shoreline environments in which the project site is located. See TMC 13.10.9.12; TSMP; Attachments A-B, Exhibits A-C; Findings 1-7, 17-22.
8. The use and development, permitted within the S-10 Shoreline District, is consistent with surrounding uses and facilitates both the water-dependent and the water-related uses at the site. It is the conclusion of this Director that the proposal is generally consistent with the policies of the SMA. The request is also generally consistent with the applicable provisions

of the City's Comprehensive Plan. See TMC 13.10.9.2; TSMP; Exhibits A-C; Findings 10-11, 14-15, 17-22.

9. The project is consistent with the regulations specific to development in the S-10 and PMI Districts and also consistent with regulations specific to development of port/industrial facilities. See TMC 13.10.9.12; TSMP.
10. Compliance with the conditions set forth and existing codes will ensure that the project meets the environmental protection measures required for all developments proposed within the City's shoreline. See TMC 13.10.6.4; Attachments C-E; Exhibit A.

DECISION

Based upon the above findings and conclusions, the Shoreline Substantial Permit is **approved**, subject to the following conditions:

Conditions:

1. Prior to issuance of the site development permits for the site, the applicant shall submit a landscape plan complying with the requirements of TMC13.10.6.7.C for the review and approval of the Director.
 - The applicant shall provide vegetative maintenance and monitoring of the entire landscaped area for a period of 5 years according to the provisions contained in 13.10.6.7.C.1.e, and provide annual monitoring reports to the City each year.
 - The applicant shall inform the City Senior Environmental Specialist when the plantings will be installed. The applicant shall have a qualified consultant on site during the plant installation. The applicant shall provide to the City a Year 0, or an "as-built", of the vegetation on site following planting.
2. Best Management Practices shall be used throughout the construction process to protect the Hylebos Waterway.
3. A Stormwater Pollution Prevention Plan and Temporary Erosion and Sediment Control Plan will be submitted to the City with application for permits to construct and must include all BMPs work near the shoreline.
4. Any future applications to the Puget Sound Clear Air Agency for increased capacity/processing as administered by that Agency shall have a concurrent notification to the City of Tacoma to document the proposed changes in site activity regarding any and all modes of transportation into and out of the facility. Changes in activity at the site will be assessed for relative impacts to traffic operations and possible mitigation identified at that time.
5. Prior to issuance of site development permits the applicant shall provide to Planning and Development Services documentation of coordination with Ecology regarding the Agreed Order and any institutional controls at the site related to prior site cleanup.
6. The applicant shall apply for and receive approval for construction/building permits from the City of Tacoma Planning and Development Services Department prior to conducting any work.

Advisory Notes:

The below notes are meant to provide additional information to the applicant relative to the specific development proposal. These notes are not conditions of the permit nor do they constitute a complete review of the project.

1. The decision set forth herein is based upon representations made and information submitted, including development plans and proposals, submitted to the Director. Any substantial change(s) or deviation(s) in such development plans, proposals, or conditions of approval imposed shall be subject to the approval of the Director, and may require additional permitting and public notification and comment.
2. The applicant must obtain other approvals prior to construction as required by other local, state and federal agencies. The City of Tacoma is not the only reviewing agency with jurisdiction over the project area. Washington Department of Ecology regulates the site for contaminants and toxics cleanup.
3. The authorization(s) granted herein is/are subject to all applicable federal, state and local laws, regulations, and ordinances. By accepting this/these approvals, the applicant represents that the developments and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approvals granted, the developments and activities permitted do not comply with such laws, regulations, or ordinances, the applicant agrees to promptly bring such developments or activities into compliance.
4. This permit is only applicable to the proposed project as described above and based upon the information submitted by the applicant. Future activities or development within the regulated marine waters or buffer may be subject to further review and additional permits or exemptions as required in accordance with TMC 13.10.
5. This permit may be rescinded pursuant to RCW 90.58.140(8) of the Shoreline Management Act of 1971 and Section 13.10.2 of the Tacoma Municipal Code in the event the permittee fails to comply with any condition thereof.
6. Construction shall be commenced within two (2) years after the effective date of the permit. The local government may, however, authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed before the expiration date. Authorization to conduct development activities shall terminate five years after the effective date of a shoreline permit, however, a single extension for a period not to exceed one year may be granted by local government if a request for extension has been filed before the expiration date.
7. Construction pursuant to this permit will not begin or is not authorized until twenty-one (21) days from the "date of filing" with the Washington State Department of Ecology, as that term is defined in WAC 173-27-130, or until all review proceedings initiated within twenty-one (21) days from the "date of filing" have been terminated.

ORDERED this this 31st day of October, 2019



PETER HUFFMAN, DIRECTOR
PLANNING AND DEVELOPMENT SERVICES DEPARTMENT

FULL DECISION TRANSMITTED this 31st day of October, 2019 via first class or electronic mail to the following:

cc: Applicant

Josh Jensen, Anchor QEA
Puyallup Tribe of Indians, 3009 Portland Avenue, Tacoma, WA 98404, Andrew Strobel, Char Naylor, Lisa Anderson, Bill Sullivan
Washington Department of Ecology, separegister@ecy.wa.gov
Tacoma-Pierce County Health Department, SEPA, SEPA@tpchd.org
Washington State Office of Archaeology & Historic Preservation, Gretchen Kaehler, SEPA@dahp.wa.gov
Pierce Transit – Tina Vaslet, tvaset@piercetransit.org
Pierce County Assessor Treasurer, Darci Brandvold, dbrandv@co.pierce.wa.us
City of Tacoma Planning and Development Services: Karla Kluge, Stephen Atkinson
City of Tacoma Public Works – Traffic: Brennan Kidd
Tacoma Public Utilities – Tacoma Rail: Alan Matheson
Port of Tacoma, Tony Warfield

Jade Monroe, Washington Department of Natural Resources, jade.monroe@dnr.wa.gov
Washington Department of Fish and Wildlife SEPA Desk, sepadesk@dfw.wa.gov
Chris Conklin, Washington Department of Fish and Wildlife, christopher.conklin@dfw.wa.gov
Liz Bockstiegel, Washington Department of Fish and Wildlife, elizabeth.bockstiegel@dfw.wa.gov
Zach Meyer, Washington Department of Ecology
Shorelands & Environmental Assistance Program, zmey461@ecy.wa.gov
WA Dept of Ecology – SEPA Register, separegister@ecy.wa.gov
Liz Bockstiegel, WA Department of Fish & Wildlife, elizabeth.bockstiegel@dfw.wa.gov

Alan Matheson, Tacoma Rail, alan.matheson@cityoftacoma.org
Puget Sound Clean Air Agency SEPA Unit, SEPA@pscleanair.org
Ralph Munoz, Puget Sound Clean Air Agency, RalphM@pscleanair.org
Tony Warfield, Port of Tacoma, Senior Manager Environmental and Planning, twarfield@portoftacoma.com
Tina Vaslet, Pierce Transit Land Use Review, tvaset@piercetransit.org
Darci Brandvold, Pierce County Assessor Treasurer, dbrandv@co.pierce.wa.us
Citizens for a Healthy Bay, Melissa Malott, Erin Dilworth
Dave Swindale, City of University Place, dswindale@cityofup.com
Frank Fiori, City of Lakewood, FFiori@cityoflakewood.us
Angelie Stahlnecker, City of Fircrest, astahlnecker@cityoffircrest.net
Steve Friddle, City of Fife
Isaac Conlen, City of Federal Way

Community members, Neighborhood Council Representatives, Business District Representatives
All who commented during the public notice (Attachment N)

SUMMARY OF DECISION TRANSMITTED 31st day of October via first class mail to the following:

All property owners within 2500 feet of the boundaries of the Port of Tacoma M/IC
All Neighborhood Council Representatives
All Neighborhood Business District Representatives

NOTE: Pursuant to RCW 36.70B.130, you are hereby notified that affected property owner(s) receiving this notice of decision may request a change in valuation for property tax purposes consistent with Pierce County's procedure for administrative appeal. To request a change in value for property tax purposes you must file with the Pierce County Board of Equalization on or before July 1st of the assessment year or within 30 days of the date of notice of value from the Assessor-Treasurer's Office. To contact the board, you may call 253-798-7415 or by e-mail at www.co.pierce.wa.us/boe.

APPEAL PROCEDURES

RECONSIDERATION:

Any person having standing under the ordinance governing this application and feeling that the decision of the Director is based on errors of procedure or fact may make a written request for review by the Director within fourteen (14) days of the issuance of the written order. The fee for reconsideration is \$250.00. This request shall set forth the alleged errors, and the Director may, after further review, take such further actions as deemed proper, and may render a revised decision. A request for RECONSIDERATION of the Director's decision in this matter must be filed in writing to the staff contact listed on the first page of this document. Filing of the reconsideration shall not be complete until both the reconsideration request and required filing fee are received. THE FEE SHALL BE REFUNDED SHOULD TO THE REQUESTOR, SHOULD THE REQUESTOR PREVAIL. (Pursuant to Section 2.09.020 of the Tacoma Municipal Code, fees for reconsideration shall be waived for qualifying senior citizens and persons who are permanently handicapped who are eligible for tax exemption because of financial status.)

Should no reconsideration be requested, this Decision will be considered final and will be mailed via certified mail to the Department of Ecology on November 15, 2019.

APPEAL TO SHORELINE HEARINGS BOARD:

The decision of the Director of Planning and Development Services may be appealed by any person aggrieved by the granting, denying, or rescinding of a permit on shorelines of the state pursuant to RCW 90.58.140, who may seek review from the shorelines hearings board by filing a petition for review within twenty-one (21) days of the date of filing of the decision as defined in RCW 90.58.140(6), which states that the "date of filing" is "the date of actual receipt by the department of the local government's decision".

Information on filing an appeal of a Shoreline Substantial Development Permit may be obtained by contacting the State of Washington's Environmental and Land Use Hearings Office at www.eluho.wa.gov, or PO Box 40903, Olympia WA 98504-0903, 360-664-9160, email: eluho@eluho.wa.gov