



## Determination of Environmental Nonsignificance (DNS)

### Critical Areas Ordinance Update

State Environmental Policy Act (SEPA) File Number: LU25-0155

**TO:** All Departments and Agencies with Jurisdiction

**SUBJECT:** Preliminary DNS

In accordance with WAC 197-11-340, a copy of the Preliminary DNS for the project described below is transmitted:

**Applicant:** City of Tacoma  
Planning and Development Services Department  
747 Market Street, Room 345  
Tacoma, WA 98402

**Proposal:**

The Growth Management Act (GMA) requires all cities and counties to periodically review and update their critical areas ordinances (codes) to ensure that the regulations comply with updated state and federal policies and are based on the best available science.

The City of Tacoma is currently reviewing and updating Tacoma Municipal Code (TMC) Chapter 13.11 Critical Areas Preservation and associated definition and administrative TMC sections.

The complete text of the proposed critical areas update amendments, and associated analysis, are available for review on the project website at [Natural Resources Program — Tacoma Permits](#). Physical copies are available by request at the Planning and Development Services Permit Counter, 747 Market Street, 3<sup>rd</sup> Floor, Tacoma, WA 98402.

**Location:** City of Tacoma

**Lead Agency:** City of Tacoma

**City Contact:** Lisa Spadoni  
Planning and Development Services Department  
747 Market Street, Room 345  
Tacoma, WA 98402  
253-377-3310 or [lspadoni@tacoma.gov](mailto:lspadoni@tacoma.gov)


The lead agency for this proposal has made a preliminary determination that this project does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2) (c). This decision was made after review of an environmental checklist and other information on file with the lead agency. This information is available to the public upon request. This Preliminary DNS is issued under WAC 197-11-340(2). **Comments must be submitted by 5:00 p.m. on August 21, 2025.** The Responsible Official will reconsider the DNS based on timely comments and may retain, modify, or, if significant adverse impacts are likely, withdraw the DNS. **Unless modified by the City, this determination will become final on August 28, 2025.** There is no administrative appeal for this determination. Appeals must be filed in conjunction with appeals of the

adopted amendments to the Growth Management Hearings Board; appeals shall be taken in accordance with procedures and limitations set forth in RCW 43.21C.075 and WAC 242-02. In addition to Growth Management Hearings Board requirements, a copy of the appeal shall be filed with the Planning and Development Services Department, 747 Market Street, Room 345, Tacoma, Washington 98402.

The Puyallup Tribe is notified that this initiates the consultation process.

Responsible Official: Peter Huffman  
Position/Title: Director, Planning and Development Services Department

Signature:  (Peter Huffman)

SEPA Officer Signature:  (Shirley Schultz)

Issue Date: August 7, 2025  
Comment Deadline: August 21, 2025, 5:00 p.m.

NOTE: The issuance of this DNS does not constitute project approval. Future project applicants must comply with all other applicable requirements of the City of Tacoma and other agencies with jurisdiction prior to receiving development permits.

cc:

- Puyallup Tribe of Indians; [SEPAReview@PuyallupTribe-nsn.gov](mailto:SEPAReview@PuyallupTribe-nsn.gov)
- Washington State Dept. of Fish and Wildlife; [R6SSplanning@dfw.wa.gov](mailto:R6SSplanning@dfw.wa.gov)
- Port of Tacoma; [jjordan@portoftacoma.com](mailto:jjordan@portoftacoma.com)
- Washington State Dept. of Archaeology and Historic Preservation; [sepa@dahp.wa.gov](mailto:sepa@dahp.wa.gov)
- Sound Transit; [perry.weinberg@soundtransit.org](mailto:perry.weinberg@soundtransit.org), [diane.wiatr@soundtransit.org](mailto:diane.wiatr@soundtransit.org), [erin.green@soundtransit.org](mailto:erin.green@soundtransit.org)
- Tacoma-Pierce County Health Department; [SEPA@tpchd.org](mailto:SEPA@tpchd.org), [ccooley@tpchd.org](mailto:ccooley@tpchd.org)
- Puget Sound Clean Air Agency; [SEPA@psccleanair.org](mailto:SEPA@psccleanair.org)
- Pierce Transit; [planning@piercetransit.org](mailto:planning@piercetransit.org)
- Tacoma Public Schools; [cwillia4@tacomak12.wa.us](mailto:cwillia4@tacomak12.wa.us), [planning@tacoma.k12.wa.us](mailto:planning@tacoma.k12.wa.us)
- City of Federal Way; [PlnqInquiry@cityoffederalway.com](mailto:PlnqInquiry@cityoffederalway.com), [Brian.Davis@cityoffederalway.com](mailto:Brian.Davis@cityoffederalway.com), [planning@cityoffederalway.com](mailto:planning@cityoffederalway.com)
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- City of Fircrest; [aburkhart@cityoffircrest.net](mailto:aburkhart@cityoffircrest.net)
- City of Lakewood; [FFiori@cityoflakewood.us](mailto:FFiori@cityoflakewood.us), [cbrunell@cityoflakewood.us](mailto:cbrunell@cityoflakewood.us)
- City of Ruston; [robw@rustonwa.org](mailto:robw@rustonwa.org)
- City of University Place; [KBriske@CityofUP.com](mailto:KBriske@CityofUP.com)
- Pierce County; [lhankel@co.pierce.wa.us](mailto:lhankel@co.pierce.wa.us), [sean.gaffney@piercecountywa.gov](mailto:sean.gaffney@piercecountywa.gov)
- Pierce County Accessor-Treasurer; [delane.hand@piercecountywa.gov](mailto:delane.hand@piercecountywa.gov)

File: Planning and Development Services

# SEPA ENVIRONMENTAL CHECKLIST

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**SEPA File Number: LU25-0155**

**A. BACKGROUND**

**1. Name of proposed project, if applicable:**

Critical Areas Ordinance (CAO) Update

**2. Proponent/applicant:**

City of Tacoma  
Planning and Development Services Department  
747 Market Street, Room 345  
Tacoma, WA 98402-3701

**3. Contact:**

Lisa Spadoni  
Planning and Development Services Department  
747 Market Street, Room 345  
Tacoma, WA 98402-3701  
Phone: 253-377-3310  
E-mail: [lspadoni@tacoma.gov](mailto:lspadoni@tacoma.gov)

**4. Date checklist prepared:**

July 29, 2025

**5. Agency requesting checklist:**

City of Tacoma, Planning and Development Services Department

**6. Proposed timing or schedule (including phasing, if applicable):**

Date	Body	Action
July 16, 2025	Planning Commission	Release of Draft CAO Code for Public Review and Set Public Hearing
August 20, 2025	Planning Commission	Public Hearing
September 3, 2025	Planning Commission	Public Hearing Debrief & Recommendation
October 7, 2025	City Council	Resolution to Set Public Hearing
October 28, 2025	City Council	Public Hearing
December 2, 2025	City Council	First Reading of the Ordinance
December 9, 2025	City Council	Final Reading and Adoption of the Ordinance

**7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.**

There are no specific future additions or expansions planned at this time beyond the current scope of the CAO Update. However, implementation of the updated code may inform future code amendments

as new data, community feedback, or state or federal requirements emerge. Any future activity would undergo appropriate review and public process.

**8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.**

Environmental information prepared in support of this proposal includes:

- **Best Available Science (BAS) Review (2025):** This review evaluated current scientific literature and practices related to critical areas protection.
- **CAO Gap Analysis (2025):** Identified where the existing critical areas code falls short of current best available science or regulatory guidance.

**9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.**

The proposal is a non-project action and area-wide in scope.

**10. List any government approvals or permits that will be needed for your proposal, if known.**

The proposal involves updates to the Tacoma Municipal Code and will require the following government approvals:

- **Planning Commission Recommendation** – A public hearing and formal recommendation by the Tacoma Planning Commission.
- **City Council Adoption** – Final approval and adoption of the code amendments by the Tacoma City Council through ordinance.
- **Washington State Department of Commerce Notification** – The City is required to notify the Department of Commerce of proposed development regulation changes at least 60 days prior to adoption. The draft code was submitted to the Department of Commerce on July 24, 2025.

**11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site.**

The Growth Management Act (GMA) requires the designation and protection of “Critical Areas” to prevent harm to the community from natural hazards and to safeguard natural resources. There are five types of critical areas defined by the GMA:

1. Wetlands
2. Fish and wildlife habitat conservation areas
3. Frequently flooded areas
4. Geologically hazardous areas
5. Areas with a critical recharging effect on aquifers used for potable water

All cities and counties in the state must conduct a periodic review and update of their critical areas regulations. This happens every 10 years in conjunction with the Comprehensive Plan update. The CAO periodic update provides an opportunity for the City to ensure our regulations are consistent with the updated Comprehensive Plan policies, federal and state policies, and incorporate scientific advancements related to environmental conservation and natural hazards.

**12. Location of the Proposal: (Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any. If a proposal would occur over a range of area, provide the range or boundaries of the site(s).)**

The proposal is city-wide in scope and applicability.

**C. SIGNATURE**

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

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**Name of signee:** Lisa Spadoni  
**Position and Agency/Organization:** Natural Resources Program Supervisor, City of Tacoma  
**Date Submitted:** July 29, 2025

## D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

*Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment. When answering these questions, be aware of the extent the proposal or the types of activities likely to result from the proposal that would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.*

### 1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

The proposal is a non-project action with the intention of updating existing regulations pertaining to critical areas within the City of Tacoma. The updates are guided by the BAS report and Gap Analysis and are consistent with state agency guidance. The project does not include any amendments to land use or zoning that would affect overall growth assumptions within the city. As such, the proposal would not negatively impact water and air quality, release hazardous substances, or produce noise, beyond the current baseline, and in fact, would likely reduce these impacts. Impacts resulting from future project-specific development proposals would be reviewed, and properly mitigated, at the time of permitting with the applicable provisions of the TMC, which this project seeks to strengthen.

#### **Proposed measures to avoid or reduce such increases are:**

The critical areas code (TMC 13.11), which all projects and proposals within the City of Tacoma must be consistent with, provides a code framework that is intended to protect water and air quality, and to avoid or minimize impacts on the health and welfare of the City's residents and environmental assets, including through restrictions related to potential uses and/or types of discharge that could impact critical areas. This code is designed to work in conjunction with the policy framework developed as part of the City's Comprehensive Plan, which includes proactive planning and management, and potential environmental restoration and preservation (Design + Development and Environment + Watershed Health Elements) within the City.

### 2. How would the proposal be likely to affect plants, animals, fish, or marine life?

The proposal is a non-project action with the intention of additional regulation and restriction of uses that could potentially affect designated critical areas within the City of Tacoma. The project does not include any amendments to land use or zoning that would affect overall growth assumptions within the city. As such, the proposal would not negatively impact plants, animals, fish, or marine life, beyond the current baseline, and in fact, would likely reduce these impacts. Impacts resulting from future project-specific development proposals would be reviewed, and properly mitigated, at the time of permitting with the applicable provisions of the TMC, which this project seeks to strengthen.

#### **Proposed measures to protect or conserve plants, animals, fish, or marine life are:**

The critical areas code (TMC 13.11), which all projects and proposals within the City of Tacoma must be consistent with, provides a code framework that is intended to minimize environmental impacts to the natural and built environment that could result from future growth and development. The draft critical areas code includes regulations that serve to protect fish and wildlife habitat, incorporates best available science to protect critical areas, and promotes connectivity of habitat areas and open space corridors and preservation and enhancement of the urban forest.

### 3. How would the proposal be likely to deplete energy or natural resources?

The proposal is a non-project action and includes no amendments to land use or zoning that would affect overall growth assumptions within the city. However, the proposal would likely have a positive impact on natural resources by strengthening regulations to maintain habitat connectivity, wetland and riparian area function, and protection of groundwater and critical aquifer recharge areas (CARA) function. Impacts resulting from future project-specific development proposals would be reviewed, and properly mitigated, at the time of permitting with the applicable provisions of the TMC, SEPA procedures, and requirements of applicable service providers.

**Proposed measures to protect or conserve energy and natural resources are:**

The critical areas code (TMC 13.11), which all projects and proposals within the City of Tacoma must be consistent with, provides a code framework that is intended to minimize environmental impacts to the natural and built environment that could result from future growth and development. The draft critical areas code provides for regulations that serve to support sustainable and resource efficient development and redevelopment practices.

**4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?**

The proposal is a non-project action and includes no amendments to land use or zoning that would affect overall growth assumptions within the city. As such, the proposal would not directly impact environmentally sensitive areas beyond the current baseline and would likely reduce these impacts. Impacts resulting from future project-specific development proposals would be reviewed, and properly mitigated, at the time of permitting with the applicable provisions of the TMC, which this project seeks to strengthen.

**Proposed measures to protect such resources or to avoid or reduce impacts are:**

The critical areas code (TMC 13.11), which all projects and proposals within the City of Tacoma must be consistent with, provides a code framework that is intended to preserve and enhance critical areas, plant and animal habitat, wetlands and floodplains. The draft critical areas code provides for regulations that serve to support ecological functions over time, limit development in designated critical areas, protect fish and wildlife, reduce hazards to birds, bats and other wildlife, and protect habitat areas.

**5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?**

The proposal is a non-project action and includes no amendments to land use or zoning that would affect overall growth assumptions within the city. As such, the proposal would not directly impact the compatibility of land or shoreline uses. Impacts resulting from future project-specific development proposals would be reviewed, and properly mitigated, at the time of permitting with the applicable provisions of the TMC, which this project seeks to strengthen through enhanced standards and guidelines for protection of the natural and built environment.

**Proposed measures to avoid or reduce shoreline and land use impacts are:**

The critical areas code (TMC 13.11), which all projects and proposals within the City of Tacoma must be consistent with, provides a code framework that is designed to minimize environmental impacts to the natural and built environment that could result from future growth and development and to promote overall improvement to the City's efforts to avoid or reduce shoreline and land use impacts.

**6. How would the proposal be likely to increase demands on transportation or public services and utilities?**

The proposal is a non-project action and includes no amendments to land use or zoning that would affect overall growth assumptions within the city. As such, the proposal would not directly impact demand on transportation, public services, or utilities. Impacts resulting from future project-specific development proposals would be reviewed, and properly mitigated, at the time of permitting with the applicable provisions of the TMC.

**Proposed measures to reduce or respond to such demand(s) are:**

The critical areas code (TMC 13.11), which all projects and proposals within the City of Tacoma must be consistent with, provides a code framework that is designed to minimize environmental impacts to the natural and built environment that could result from future growth and development. Impacts resulting from future project-specific development proposals would be

reviewed, and properly mitigated, at the permitting level consistent with the applicable provisions of the TMC, SEPA procedures, and requirements of applicable service providers.

**7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.**

In general, the proposal seeks to enhance existing protections of the natural and built environment consistent with the guidance provided by the Washington Department of Ecology and the Washington Department of Fish and Wildlife, so conflicts with local, state or federal laws for the protection of the environment are not anticipated. The City's current CAO is designed to minimize and mitigate environmental impacts to the natural and built environment that could result from future growth and development. In the proposed update, the new code will continue to focus on measures that eliminate or minimize the potential impacts of growth on the natural and built environment.

No conflicts with local, state or federal laws for the protection of the environment are anticipated. The proposal is being reviewed for consistency with the State Growth Management Act, and should also be supported by goals and policies within the Puget Sound Regional Council's Vision 2050 and the Pierce County Countywide Planning Policies. If conflicts with local, state or federal laws for the protection of the environment are identified, they will be rectified prior to adoption.