RE: Locally initiated amendments to PCC Title 18S – Shoreline Master Program
Environmental Application Number: 973001

To Whom It May Concern:

Enclosed/attached you will find a Determination of Nonsignificance (DNS) issued by Pierce County on the above referenced proposal. The County issued a DNS on the proposal on October 14, 2021. This Revised DNS assesses a revision to one amendment proposal. Specifically, the amendment revision is related to a reduction in the prohibition of residential docks and piers in certain areas of unincorporated Pierce from 38.8 miles of shoreline to 7.3 miles.

The DNS is being sent to interested persons/groups, agencies with jurisdiction, the Department of Ecology, affected tribes, and each local agency or political subdivision whose public services would be changed as a result of implementation of the proposal, in accordance with WAC 197-11-340.

This proposal will be reviewed by the Pierce County Planning Commission at the upcoming November 4, 2021 April 5, 2022 Planning Commission meeting. The agenda and meeting materials can be found on the Planning Commission Website within one week of the meeting: https://www.piercecountywa.gov/5944/Planning-Commission. Please note, this meeting will be held via Zoom.

Sincerely,

Dave Risvold
Biologist 3 – Shoreline Planning Supervisor

Enclosure/Attachment

c: Pierce County Parks / Kimberly Freeman, Resource Stewardship Supt
Pierce County PPW Surface Water Management / Anne-Marie Marshall-Dody, Planning Manager
Pierce County PPW Sewer / Cassandra Moore, Planning and Program Manager
Pierce County PPW Transportation Planning / Jesse Hamashima, Planning Manager
Pierce County PPW Sustainable Resources / Ryan Dicks, Sustainable Resources Administrator
Tacoma-Pierce County Health Department / Leigh McIntire
Muckleshoot Indian Tribe / Krongthip Sangkapreecha, Planning Director
Nisqually Indian Tribe / Joe Cushman, Planning and Economic Development Director
Puyallup Indian Tribe / Andrew Strobel, Tribal Land Use Director
Snoqualmie Tribe / Cindy Spiry, Environmental and Natural Resources Director
Squaxin Island Indian Tribe / Penni Restivo, Director of Planning and Community Development
Washington Department of Transportation / SEPA Review
Washington Department of Ecology / SEPA Register
Revised

Determination of Nonsignificance (DNS)
For Nonproject Legislative Actions Pursuant to the Growth Management Act or Shoreline Management Act

Environmental Application Number: 973001               Project ID Number: 587736
Family Application Number(s): N/A
Parcel Number(s): N/A

Action:     Locally initiated amendments to PCC Title 18S – Shoreline Master Program

Description:  The lead agency proposes amendments to Pierce County Code (PCC) Title 18S:

1. The identification of 39.38 7.3 miles of marine shoreline areas in which prohibitions of piers and docks should be established.
2. New regulatory language that distinguishes between commercial aquaculture and aquaculture proposed as restoration.
3. Limited fencing allowances within shoreline buffers.
4. The incorporation of approved amendments to Pierce County Code Title 18E – Development Regulations – Critical Areas.
5. Clarifying that fill associated with pathways to the shoreline is not allowed in a floodplain.

Location:    All unincorporated areas within the jurisdiction of the Pierce County Shoreline Master Program

Proponent(s): Pierce County Planning and Public Works

Pierce County, the lead agency for this proposal, has determined that it will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) will not be required under RCW 43.21C.030 (2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

Pierce County has determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under Chapter 36.70A RCW, and in other applicable local, state, or federal laws or rules, as provided by RCW 43.21C.240 and WAC 197-11-158. Pierce County will not require any additional mitigation measures under SEPA.
There is no comment period for this DNS. Pierce County Code does not provide for an administrative appeal of non-land use legislative actions taken by the County Council. See WAC 197-11-680 for procedures regarding SEPA judicial appeals.

This **Revised** DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 44-30 days from issue date. Comments must be submitted within 44-30 days of the issue date. Appeals must be filed within 60 days following publication in the County paper of record for the approved ordinance.

**Responsible Official:** Melanie D. Halsan  Sean Gaffney  
**Position/Title:** Assistant Director  Land Use and Environmental Planning Manager, Planning and Public Works  
**Address:** 2401 South 35th Street, Suite 2, Tacoma, WA 98409  
**Staff Contact:** Dave Risvold, Biologist 3 – Shoreline Planning Supervisor  
**Issue Date:** October 14, 2021  March 17, 2022

Appeal:
The Responsible Official has issued this Determination of Nonsignificance for a nonproject action, which may be appealed under the State Environmental Policy Act (SEPA). RCW 43.21C.075. In some cases, the SEPA appeal must be combined with any appeal of the underlying governmental action pursuant to RCW 43.21C.075(2)(a). SEPA appeals associated with legislative actions taken by the Pierce County Council pursuant to the requirements of the Growth Management Act or Shoreline Management Act must be appealed to the Growth Management Hearings Board. PCC 1.22.080.B.1.k and RCW 36.70A.280(1)(a). The appeal must be filed with the Growth Management Hearings Board within 60 days following publication in the County paper of record for the underlying governmental action pursuant to RCW 36.70.290(2) and WAC 242-03-200. Review *Practicing Before the Growth Management Hearings Board Handbook* for additional information on the appeal process.

Note: The issuance of this Determination of Nonsignificance does not constitute approval. The applicant must comply with all other applicable requirements of Pierce County, federal, and state agencies.

**Pierce County Online Permit Information:**  
https://pals.piercecountywa.gov/palsonline/#/permitSearch/permit/departmentStatus?applPermitId=973001