

Hood Canal Environmental Council

Spring 2016 Newsletter

Protecting Hood Canal since 1969

HCEC Opposes Pier Near Tekiu Point

About a year ago, HCEC joined local residents in opposition to a proposed pier, ramp and float (PRF) in the Tekiu Point area south of Seabeck. The proposed PRF consists of a 140' long pier, a 40' gangway ramp and a 40' float. According to project proponents, the purpose of the PRF is to provide two families joint recreational access to the canal.

The original version of the proposed PRF surfaced over a decade ago; then was revised in 2010 and again in 2012. In the spring of 2014, a Joint Aquatic Resources Permit Application (JARPA) for the PRF proposal was received by the Kitsap County Department of Community Development (DCD) along with an updated biological assessment.

About a year later, the DCD issued a Revised Notice of Application for a Shoreline Substantial Development Permit (SSDP) for the proposal and announced its intention to issue a Mitigated Determination of Non-Significance (MDNS). It was at this point that HCEC decided to turn its concern into action and get involved in the decision-making process.

HCEC requested an extension of the public comment period to 30 days from the date of the DCD's Notice and asked that: (1) conditions designed to mitigate environmental impacts be included in a revised Notice to be published for public evaluation during the extended comment period, (2) the environmental assessments be reviewed by unbiased, qualified experts before DCD makes a decision, and (3) any environmental analysis consider the potential effect on migrating salmon and forage fish from the proposed project. DCD granted the extended review period and set a new hearing date.

One of HCEC's concerns involved the question of "vesting." An applicant can be vested to the rules in place at the time a complete application is filed. Rules require an application to be signed. The environmental checklist and JARPA were filed in 2014 but not signed by the applicant until 2015. HCEC argued that the application was not complete until 2015 and therefore the 2015 rules applied (so the applicant should not be

vested to the prior rules) and the project is prohibited because the current "Natural" shoreline designation for Tekiu Point does not allow for construction of a PRF.

HCEC also pointed out that the applicant had not proved that existing moorage facilities are not adequate or feasible. These and other concerns were spelled out in a letter to the DCD which urged the county to require a full Environmental Impact Statement (EIS).

In September, 2015, the Hearings Examiner concluded that "the proposal vests with the previous SMP" and approved the SSDP with conditions. One of the conditions (condition 12) gave the applicant 14 days to submit a memo to the DCD demonstrating that there are no other feasible existing moorage facilities. Since that memo was not submitted until November, the public hearing was reopened. The final decision by the Hearings Examiner in December was that the applicant had satisfied the condition 12 requirement.

HCEC decided not to appeal the Hearing Examiner decision after confirming that the Skokomish Tribe would oppose an Army Corps permit for the PRF on the basis that it would impair the Tribe's fishing rights. In April of this year, the U.S. Army Corps of Engineers (USACE) received a permit application for the proposed Whitney PRF. Since then, HCEC has been advised by the USACE Regulatory Branch's Project Manager that the Skokomish and Port Gamble S'Klallam Tribes have voiced their opposition to the Whitney PRF. The applicants have been instructed to work with the tribes independently from the USACE. The permit application will be cancelled after 30 days if no resolution can be reached between the two parties. So for now, the USACE permit process is on hold, and it is very likely that USACE will deny the permit.

For more information about HCEC's position regarding the proposed PRF at Tekiu Point, contact Phil Best at (360) 692-6486 or e-mail to pbest@wavecable.com.

Black Point/Pleasant Harbor MPR

The Hood Canal Environmental Council (HCEC) has a long history of involvement in the decision-making process for the proposed Master Planned Resort (MPR) near Brinnon. Since the Canadian Developer's plans for the MPR were made public, our organization has provided input on the proposed MPR at every opportunity. The latest opportunity presented itself with the release of the long-awaited Final Supplemental Environmental Impact Statement (FSEIS) for the proposed project. Following is a summary of HCEC's concerns regarding the FSEIS as presented in its January 5, 2016 letter to the Jefferson County Planning Commission.

The issues raised by the HCEC were not adequately addressed in the FSEIS. Any perceived economic benefits from creating another mega resort in the Hood Canal watershed are outweighed by the potential negative environmental impacts. Approval of any of the development alternatives would result in significantly higher density, more intensive land uses, major topographic alteration, increased demand on groundwater and risk to the aquifer from saltwater intrusion, significant demand on public services, traffic congestion on highway 101, loss of rural character in the Brinnon area, increased impervious surfaces and stormwater runoff, loss of open spaces, disturbance of wetlands, loss of wildlife habitat and potential security problems for the U.S. Navy's Bangor Sub Base operations.

Due to unexpected delays, the Planning Commission has so far not made its recommendation to the Jefferson County's Board of County Commissioners. The latest delay occurred when the Port Gamble S'Klallam Tribe's Environmental Program Manager and Tribal Historian notified the Planning Commission that the Tribe's 60 day consultation process was not yet completed. A special government-to-government meeting to discuss the Tribe's concerns about the process and its environmental and cultural issues regarding the proposed MPR was held on April 18th as part of the regular Commissioners' meeting. (See related article submitted by Roma Call on behalf of the Tribe)

For over a decade, the HCEC has remained steadfast in its opposition to the proposed MPR and on its commitment to supporting the local opposition organization, The Brinnon Group. For more information about the proposed MPR and the HCEC's position, contact Donna Simmons at (360) 877-5747 or e-mail to nana@hctc.com.

Tribe Comments On Pleasant Harbor MPR

From a Port Gamble S'Klallam Tribe letter to Jefferson County:

The Port Gamble S'Klallam Tribe is the successor in interest to Indian bands and tribes signatory to the 1855 Treaty of Point No Point, 12 Stat. 933.1 Today the Tribe retains deep cultural and economic ties to the surrounding waters and to their fisheries in its usual and accustomed grounds and stations (U&A). The proposed Pleasant Harbor MPR project is located within the Tribe's U&A, in an area where tribal members depend on fish, shellfish and wildlife.

In 2008, the Jefferson County Board of County Commissioners (BOCC) adopted Ordinance No. 01-0128-08, listing 30 special conditions to be required for development approval under the Comprehensive Plan amendment to allow a Master Plan Resort within an area zoned Rural Residential. "Consultation with the Tribes regarding cultural resources, and possibly one kettle preserved as a cultural resource," is included as a requirement in the list of conditions for development approval. The BOCC ordinance also requires a document to be executed or recorded with the County Auditor, reflecting the developer's written understanding with and among the local tribes, as well as other entities, in order to maintain site integrity and to assure traditional tribal access to cultural properties and activities. The BOCC ordinance also requires the applicant to develop a wildlife management plan focused on non-lethal strategies in the public interest in consultation with the Department of Fish and Wildlife and local tribes.

With the release of the FSEIS for this project, it is questionable as to whether Jefferson County made a good faith effort to consult with the Port Gamble S'Klallam Tribe. The Tribe was not consulted during the development of the FSEIS and our comments were not incorporated. The FSEIS does not go nearly far enough to resolve PGST's concerns and to mitigate project effects with regard to cultural resources and tribal treaty right impacts. The Tribe was not provided with any comment schedule after requesting one prior to the release of the FSEIS and finds the Jefferson County consultation process to have been both inadequate and negligent.

Over at least the past 15 years we have commented on our concerns with the potential for adverse effects on cultural resources and treaty rights from the loss of wetlands and rare kettle ponds, increased traffic, intensity of land use, alteration of hydrology, clearing and grading, increased impermeable surface, use of persistent pollutants, and other effects. The project would be located in an aquifer recharge area and would significantly impact waters of the U.S. The project proposes to remove 20,700 sq. ft. of wetland and Kettle Pond B wetland would be cleared of vegetation, filled and lined. We are very concerned about the effects of persistent pollutants from the proposed use of pesticides, fungicides and other chemicals, on water quality in groundwater, wetlands and streams and the Hood Canal, Duckabush and Dosewallips River systems. The project would remove 55% of trees and native vegetation replacing it with impermeable surfaces and landscaping. The project also has the potential to impact wildlife, including a migrating elk herd in the project area. It would increase vehicular traffic along highway, roads and parking lots and would degrade water quality in Hood Canal through stormwater runoff, impacting the Tribe's fish and shellfish resources. An analysis of the risks to fisheries, an existing economic base in the area for tribal members and others, was not incorporated into the developer's economic study of the MPR.

Mariculture In Hood Canal

Mariculture is aquaculture in a marine environment. It involves cultivation of marine organisms for food and other products in the open ocean, enclosed sections of the ocean, or tanks, ponds, or raceways filled with seawater, usually for commercial purposes. It is subdivided into types based upon the species cultured: mollusk, crustacean, marine plant (micro-algae and macro-algae, the latter including “seaweeds” and seagrasses), and finfish; different species require different systems. Note that macro-algae are further divided into green, red, and brown algae; kelp is a large, brown alga.

Plant mariculture, commonly called “seaweed farming”, has been suggested as a possible means of using photosynthesis to extract carbon from the oceans to reduce acidification of these waters secondary to uptake of atmospheric carbon dioxide. Picking up on this hypothesis, and buoyed by optimistic Chinese reports from the Yellow Sea and funding opportunities from the Paul Allen Family Foundation (\$1.5 million) and the U.S. Navy, the Puget Sound Restoration Fund (PSRF) was granted, without public hearing, a U.S. Army Corps of Engineers ten year permit “to construct a suspended algae mariculture demonstration facility to evaluate the potential of a commercial-scale seaweed mariculture demonstration to modulate carbon and nitrogen in the marine environment.” Project partners reportedly include scientists from the University of Washington, NOAA Pacific Marine Environmental Laboratory, Washington Department of Fish and Wildlife (WDFW), Washington State Department of Natural Resources (DNR), and several local tribes.

This research will culture three native macroalgae species (sugar kelp, bull kelp, and dulse) and will take place in waters over bedlands leased from DNR off Hood Head, within the confines of the existing suspended tray shellfish farm of PSRF Senior Scientist Jonathan P. Davis, Ph.D, dba Hood Canal Mariculture, Inc. Shellfish cultivation was halted in 2013 but will be resumed at the perimeters and below the seaweed cultivation array during the course of this study; species to be cultivated include Pacific, European flat, and Olympia oysters and rock scallop. Experimentation will be conducted from late 2016 to mid 2018; it will measure and compare multiple water parameters before and after passage through the seaweed: pH, carbonate ion, dissolved inorganic carbon, “other nutrients” (?nitrogen), salinity, temperature, and dissolved oxygen. The study will also include assessment of the biological value of kelp to native fish and pteropods.

While HCEC applauds the academic goals of this endeavor, it does have some concerns. First, when trying to elucidate the effect of a specific factor (seaweed culture), it seems confounding to introduce a second variable (shellfish culture) at the study site. Secondly, there are potential threats to the environment: chemical pollution, spread of parasites and diseases, habitat degradation, cumulative environmental impact of extensive existing and proposed aquaculture farms in the northern Canal, precedent for further commercial usurpation of Hood Canal surface area, navigation hazards, impact on salmon smolts, and unforeseen changes to the nearshore ecosystem.

Finally, there is the age-old problem of public resource consumption for private gain; hopefully, this motive is not in play here. The PSRF is aware of our concerns and has agreed to keep the HCEC updated about the Hood Canal Mariculture Project's findings through periodic briefings.

Port Gamble Bay Cleanup

The Washington State Department of Ecology (WDOE) recently held an open house to update the public about work completed in the first year of the Port Gamble Bay cleanup process and to discuss its plans for continuing cleanup activities this year. The process began in the fall of 2013 with the release of the WDOE’s Draft Cleanup Action Plan (DCAP), which spelled out comprehensive remedial actions designed to reduce toxicity in the marine environment resulting from past sawmill operations. Cleanup construction began in September 2015 and is expected to be completed by January of 2017.

Activities undertaken in the first year include: removal of pilings, excavation of intertidal sediments, dredging, removal and recycling of steel, concrete and other debris and delivery of clean capping and habitat materials. Projects designed to improve marine and shoreline habitat and restore native species such as oysters are also being carried out. Work to be done in the next year includes remobilizing the site and removing additional pilings. Full cleanup efforts are scheduled to begin in July.

HCEC has followed the Port Gamble Bay cleanup process for the last 2 ½ years. (see Summer 2014 issue, HCEC newsletter). As the cleanup project moves into the next phase, the HCEC will continue to stress the importance of reducing toxicity to sediment-dwelling organisms, lowering human health risks, and ensuring that shellfish are free from contaminants, throughout Port Gamble Bay.

More information about the Port Gamble Bay cleanup project can be found on the WDOE’s website at www.ecy.wa.gov/cleanup/3444.html or the Port Gamble S’Klallam Tribe’s website at www.PortGambleBayCleanup.com.



Eagle & Heron by Phil Best

HCEC Board Of Directors

Donna Simmons, President
nana@hctc.com

Gary Cunningham JD, Vice President
gary@hoodcanalenvironmentalcouncil.org

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pbest@wavecable.com

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info@hoodcanalenvironmentalcouncil.org

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karen@hoodcanalenvironmentalcouncil.org

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monica@hoodcanalenvironmentalcouncil.org

Alice Harris
alice@hoodcanalenvironmentalcouncil.org

John S. Arthur, MD
john@hoodcanalenvironmentalcouncil.org

Bob Wiltermood, Editor
bob@wiltermood.com

The Board of Directors meets the third Wednesday of each month. If you would like to attend, call Donna Simmons at (360) 877-5747.



What Is A Lead Entity?

What is a Lead Entity? Lead Entities are watershed-based organizations authorized by the Legislature (RCW 77.85.050-070) to develop habitat restoration and protection strategies, and look for projects to meet those strategies. What does this mean for Hood Canal? The Hood Canal Coordinating Council (HCCC) Lead Entity Program utilizes technical and community expertise of dedicated partners to implement salmon restoration in the region. To achieve this, the HCCC Board of Directors has established the HCCC Citizens Committee, made up of the Citizens Advisory Group (CAG) and the HCCC Board of Directors. The Board appointed members to the CAG as well as the Technical Advisory Group (TAG) to advise the Citizens Committee.

An annual determination of a list of projects, best fit for implementing salmon recovery strategies, follows three stages: planning of priority actions, application development, and ranking & funding decisions. In 2015, fifteen grants were awarded to salmon recovery partners around the Hood Canal region. To view the December 14, 2015 press release with project summaries visit <https://hcccwagov.box.com/s/w056hgnz1oyjurqq42oj4fwg9vtux9xf>.

Planning of priority actions for a 2016 list began in the winter of 2015 when technical experts met and identified the highest priority actions for salmon recovery, called keystone actions. Next, salmon recovery partners determine which feasible actions they are willing to implement if funding is available. Identified actions are reviewed for inclusion in the HCCC Salmon Recovery Work Plan, resulting in an invitation for grant applications according to the approved HCCC Work Plan schedule. Project presentations and site visits offer opportunity for feedback to improve proposals.

In March of this year, 26 proposals were submitted to the Lead Entity. To view the projects applications visit <https://hcccwagov.box.com/s/pb4yovlusy3dq95e6ap5fv18qlx8i0yz>. Local and State reviewers attended site visits for each project in a marathon tour in late April. Do you have input on projects? A public comment period for current proposals ended on May 23, 2016.

What is next? Final proposal evaluation by the CAG and TAG will determine preliminary project status and ranking, ensuring projects are technically sound, have local support, and are ready to move forward for funding decisions. Lastly, the list goes before the HCCC LE Citizens Committee for approval before submitting it to the Salmon Recovery Funding Board (SRFB) for funding decisions.

Guest writer, Alicia Olivas is the Lead Entity Coordinator for the Hood Canal Coordinating Council.

HOOD CANAL ENVIRONMENTAL COUNCIL
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Mason County SMP Update

Hearings have been scheduled by the Mason County Planning Advisory Commission (PAC) on the county's Draft Shoreline Master Program (SMP) Update. The hearings and PAC meetings will be held in the Mason County Commissioners' Chambers at 411 N. 5th St., Shelton, Washington on the following dates:

June 13 - PAC Draft Resource Ordinance and Title 15 hearings

June 20 - PAC Draft Shoreline Master Program Hearing

June 27 - PAC meeting to discuss comments received at hearings

July 11 - PAC final hearing/decisions

A reserve date of July 25th is scheduled for an additional hearing or meeting, if needed. Written comments will be accepted by e-mail or mail. Draft regulations, policies, maps, and reports are posted on the county's website. For more information, contact Mason County Planner, Rebecca Hersha, at (360) 427-9670 ext. 287 or e-mail to RebeccaH@co.mason.wa.us.

HCEC is looking for people willing to dedicate a small amount of their time to helping us protect the environmental health of Hood Canal. If you are interested, please contact any one of the board members listed in this newsletter. We appreciate your support.

Also we are looking a computer person to handle our web page.



Douglas Squirrel by Bob Wiltermood

Hood Canal Environmental Council

PO Box 87

Seabeck, WA 98380

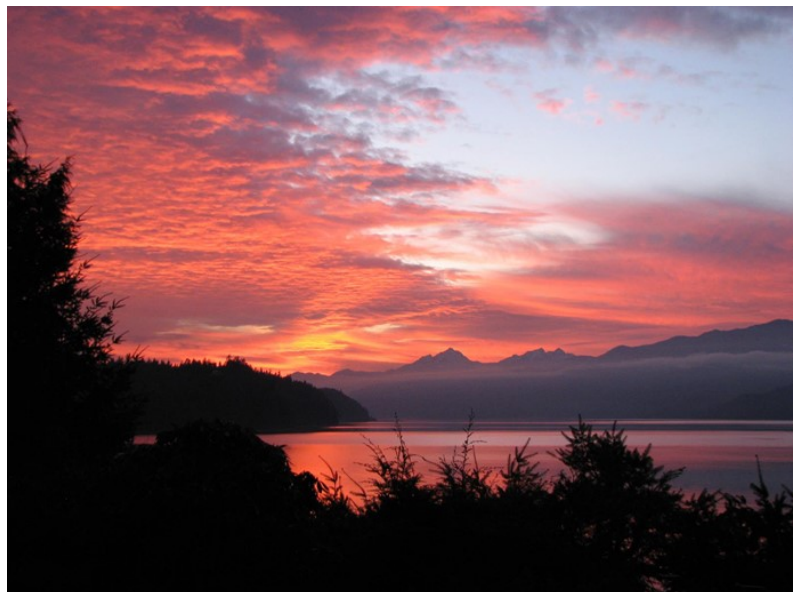


SAVE THE DATE

On Saturday, October 8, 2016, the HCEC will host an event at the Theler Center in Belfair to raise public awareness of shellfish-related issues in Hood Canal. Look for more information in September.

To receive HCEC newsletters via email and save printing & postage costs please send an email to bob@wiltermood.com or pbest@wavecable.com

This newsletter and back issues can be read online at <http://www.hoodcanalenvironmentalcouncil.org>.



Hood Canal & Mt. Washington by Gary Cunningham