



KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

614 DIVISION STREET MS-36, PORT ORCHARD WASHINGTON 98366-4682
(360) 337-5777 FAX (360) 337-4925 HOME PAGE - www.kitsapgov.com/dcd/

Larry Keeton, Director

July 15, 2010

NOTICE OF APPLICATION

This is a public notice of a development proposal that may interest you. You have the right to comment on this application, receive notice and participate in any public hearings and request a copy of the decision, once made. You also have the right to appeal decisions. Included in this notice is a summary of the proposal, identification of permits that are required and a timetable for the County review and decision on the proposed development. You should be aware there are deadlines for comment and appeals, and if you do not adhere to these time lines your comments may not be considered or you may lose your right of appeal. Please read through this notice carefully, and call the Department of Community Development with any questions you may have. The contact person for this application is Lisa Lewis and may be reached at (360) 337-5777.

Planning File Number: 10-88642

Assessor Numbers: The project area is located in state owned subtidal aquatic lands in the subtidal zone between water depths of -18 feet corrected to mean lower low water (MLLW) seaward to a point greater than 70 feet deep. As such, there are no associated assessor numbers.

Project Name: Washington State Geoduck Wild Stock Fishery Harvest in Kitsap County

Preliminary State Environmental Policy Act (SEPA) Determination: Pursuant to WAC 197-11-926, Washington State Department of Natural Resources (DNR) is the lead agency under SEPA. An Environmental Impact Statement for the Puget Sound Commercial Geoduck Fishery was completed in 1985 by the Washington Department of Fisheries (now known as the Washington Department of Fish and Wildlife (WDFW)). DNR as lead agency, in a joint effort with WDFW updated the original EIS in 1999 to include all research on the potential environmental impacts of the fishery since 1985 through the development of a Draft Supplemental Environmental Impact Statement (DSEIS). Accordingly, public comments on the DSEIS were solicited during the following time periods:

1. Scoping Notice: April 20 – May 20, 1999.
2. First public comment period: November 23, 1999 – February 4, 2000.
3. Second public comment period: January 22 – February 23, 2001.

DNR issued a Final Supplemental Impact Statement (FSEIS) with a Determination of Significance on May 23, 2001. If you have questions regarding DNR's SEPA analysis and determination, please contact Celia Barton (DNR) at (360) 902-1025.

Type of Applications: Kitsap County Shoreline Conditional Use Permit (CUP), Kitsap County Code Title 22.28.020 Unidentified Use Activities.

Description of Proposed Project: The Department of Natural Resources (DNR) proposes to conduct Washington State subtidal wild stock geoduck harvests in state owned subtidal aquatic lands in the Hood Canal Geoduck Management Regions (Coon Bay, Port Gamble and Vinland)

and the Central Puget Sound (Apple Cove Point North and Blake Island North) within Kitsap County (Maps 1-3).

Divers during commercial harvest would use a hand held water jet to loosen the substrate immediately around the exposed geoduck siphon allowing it to be easily removed from the substrate. Divers would operate from boats anchored over the tracts. Harvest boats would be required to remain seaward of a line 200 yards seaward to a point no greater than 70 feet deep. Pumps and compressors on the boats would be used to pump ambient water to the water jets and supply air to the divers respectively. DNR would implement a new closed circuit communication requirement for noise abatement in diver-to-tender communication. Compressor and pump noise would be experienced during hours allowed under the harvest contract, specifically no earlier than 7:30 a.m. and no later than 4:30 p.m., Monday through Friday, and not on State holidays. Noise levels would be monitored and required to be below 50 decibels at 200 yards at all times. As proposed, DNR would implement a new requirement for noise abatement in diver-to-tender communication and DNR enforcement personnel would monitor the harvest during all hours of operation to ensure compliance with all aspects of the harvest. Harvest vessels would not be allowed on tract prior to, or after, harvest hours.

Wild stock geoduck tracts are harvested on a rotational basis according to a jointly agreed State and Tribal Geoduck Harvest Management Plan. These tracts are also actively harvested by the Treaty Tribes. The harvestable pounds are calculated as a sustainable yield limited to the available commercial biomass. When a tract has reached a predetermined density it receives a scientific biological survey and is placed into recovery status where it is not fished until it returns to a pre fishing biomass. This recovery occurs through natural processes with wild geoduck spawn.

In the Hood Canal Geoduck Management Region, Vinland Tract has been harvested by the State, Port Gamble Tract is currently being harvested by the State and Treaty Tribes and Coon Bay Tract has not yet been harvested. In the Central Puget Sound Geoduck Management Region, Apple Cove Point North Tract has only been harvested by the Treaty Tribes and Blake Island North Tract has been harvested by both the State and the Treaty Tribes.

Purpose: As stated by the applicant, the Wild Stock Geoduck Fishery is jointly managed by the State (DNR and WDFW) and the Puget Sound Treaty Indian Tribes (Tribes). The State and Tribes each have a right to fish up to 50 percent of the available sustainable quota of geoducks (United States v. Washington, 873 F. Supp. 1422 W.D. Wa 1994 and United States v. Washington, 898 F. Supp. 1453 W.D. Wa 1995). The State and the Tribes are responsible for estimating geoduck population size, determining sustainable yield, and ensuring that adverse effects to the environment are kept to a minimum. DNR has proprietary rights over the State's half of the harvest and auctions the right to harvest geoducks to private companies. Revenue received by the State pays for the scientific management of the resource and on site enforcement during harvest, as well as other public benefits such as public access and habitat restoration and enhancement.

Applicant: WASHINGTON DEPARTMENT OF NATURAL RESOURCES
ATTN: MS. CELIA BARTON
P.O. BOX 47027
OLYMPIA, WA 98504-7027

Authorized Representative: Same as applicant.

Date of application: March 15, 2010

Date application determined complete: March 18, 2010

Date of notice of complete application: March 18, 2010

Site description (including zoning and shoreline environmental designation): The project site is approximately 433 acres in the Hood Canal Geoduck Management Region located on the Northwest side of the Kitsap Peninsula at T27N, R2E, W.M., and approximately 399 acres in the Central Puget Sound Geoduck Management Region located on the Eastern side of the Kitsap Peninsula at T24N, R2E, W.MI, and T27N, R2E, W.M. (Maps 1-3).

The property is subtidal; therefore, there is no zoning designation for the subtidal harvest regions. The closest zoning designations, however, as well as the shoreline environment designations are included below.

The five wild stock geoduck harvest tracts include:

1. The *Coon Bay 1-4 geoduck tract* is a subtidal area of approximately 104 acres (Table 1) along the northeastern shoreline of the Hood Canal, in the Hood Canal Geoduck Management Region. The tract is located south of and adjacent to the Foulweather 2 (#19750) geoduck tract and north of and adjacent to the Port Gamble (#20000) geoduck tract. Under the Kitsap County Shoreline Management Master Program, the shoreline environment designation within this area is Semi-Rural. The closest land area has a zoning designation of Rural Residential (1 dwelling unit per 5 acres).
2. The *Port Gamble geoduck tract* is a subtidal area (between the -25 to -70 foot water depth contours, corrected to MLLW) of approximately 190 acres along the northeastern shoreline of Hood Canal at the mouth of Port Gamble Bay, in the Hood Canal Geoduck Management Region. The south end of the tract starts approximately 1165 yards northerly of the geographic landmark Point Julia and continues northerly approximately 5405 yards. The commercial tract area is deeper than, and seaward of, the -25 foot (MLLW) water depth contour to provide for herring spawning habitat buffer. Under the Kitsap County Shoreline Management Master Program, the shoreline environment designation within this area is Semi-Rural. The closest land area has a zoning designation of Rural Residential (1 dwelling unit per 5 acres) and Tribal Lands.
3. The *Vinland geoduck tract* is approximately 139 subtidal acres along the eastern shoreline of northern Hood Canal, south of Navigation Marker #9 and south of the Lofall (#20700) geoduck tract. The tract begins about 8000 yards southerly of the Hood Canal Bridge and continues southwesterly for about 2200 yards. The commercial tract area is deeper than and seaward of the minus 20 foot (MLLW) depth contour, to provide a buffer between eelgrass beds found at a maximum depth of -18 ft (MLLW) and geoduck harvest. Harvest vessels must remain seaward of a line 200 yards seaward and parallel to the ordinary high tide (OHT) line during harvest. The tract includes two portions that are constrained by the 200 yard restriction at the northern and southern ends of the tract. Under the Kitsap County Shoreline Management Master Program, the shoreline environment designation within this area is Rural. The closest land area has a zoning designation of Rural Residential (1 dwelling unit per 5 acres) and Military.

4. The *Apple Cove Point North geoduck tract* is a subtidal area of approximately 253 acres (Table 1) along the eastern shoreline of the Kitsap Peninsula, in the Central Puget Sound Geoduck Management Region. The tract is located south of and adjacent to the Pilot Point (#06200) geoduck tract and north of and adjacent to an un-surveyed "X-bed" (#06300). Under the Kitsap County Shoreline Management Master Program, the shoreline environment designation within this area is Rural and Conservancy. The closest land area has a zoning designation of Rural Residential (1 dwelling unit per 5 acres) and Rural Protection (1 dwelling unit per 10 acres).

5. The surveyed area of the *Blake Island North geoduck tract* is a subtidal area of approximately 146 acres (Table 1) along the northern shoreline of Blake Island in the Central Puget Sound Geoduck Management Region. The Blake Island North tract is northeast of the West Blake Island geoduck tract (#08550), and is northwest of the East Blake Island geoduck tract (#08500). Under the Kitsap County Shoreline Management Master Program, the shoreline environment designation within this area is Natural. The closest land area has a zoning designation of Rural Residential (1 dwelling unit per 5 acres).

Project permits included with application: Joint Aquatic Resources Permit Application (JARPA) for a shoreline conditional use permit.

Further studies being required by applicable official: None at this time.

Other permits, or reviews, which may be required, but not included in the application: None.

Existing environmental documents, which evaluate the proposed project:

1. Appendices to the Final Supplemental Environmental Impact Statement, April 2000.
2. DNR and WDFW Final Supplemental Environmental Impact Statement (EIS), May 2001.
3. Responsiveness Summary to the Draft EIS, May 2001.
4. Geoduck Harvesting Agreement and Contract of Sale, no date provided.
5. The Effect of Commercial Geoduck Fishing on Dungeness Crab Catch Per Unit Effort in Hood Canal, Washington, August 2007.
6. Habitat Conservation Plan, July 2008.
7. DNR and WDFW Wild Geoduck Fishery Management Plan, August 2008.
8. Federal Services Endangered Species Act Analysis: Biological Opinion and Incidental Take Permits, December 2008.
9. WDFW Environmental Assessments for each proposed harvest tract, July 2009.
10. SEPA Determination and Addendum, December 2009.
11. Joint Aquatic Resources Permit Application form, March 2010.

Public Comment Period and Appeals: Any interested person may comment on this application and the comment period will remain open until the date of the hearing. Any interested person may request notification of any hearings or meetings and request a copy of the decision once made. Said request must be in writing and addressed to: Kitsap County Department of Community Development, Attn.: Karen Ashcraft, 619 Division Street - MS36, Port Orchard, WA 98366. Any interested person may appeal the decision regarding this application within 14-days following the issuance of the decision. Specific appeal procedures are found in the Kitsap County Land Use and Development Procedures Ordinance. This ordinance may be obtained from the Department of Community Development and is available at local libraries and on the internet at www.kitsapgov.com.

Tentative technical review meeting: July 7, 2010.

Tentative hearing date: August 12, 2010

This is a tentative date only. If you request notification as above, you will receive a notice of the public hearing when it is scheduled. The staff person to contact regarding the hearing date is Karen Ashcraft at (360) 337-5777.

Staff report availability: 10-days prior to scheduled hearing.

Examination of file and staff contact: The application file may be examined at the Department of Community Development, 614 Division Street, Port Orchard, Washington, between the hours of 10:15 a.m. and 4:00 p.m. Monday through Thursday, except holidays. The staff person assigned to this project is Lisa Lewis and may be contacted at (360) 337-5777.

Review authority: Hearing Examiner

Site map: Attached.

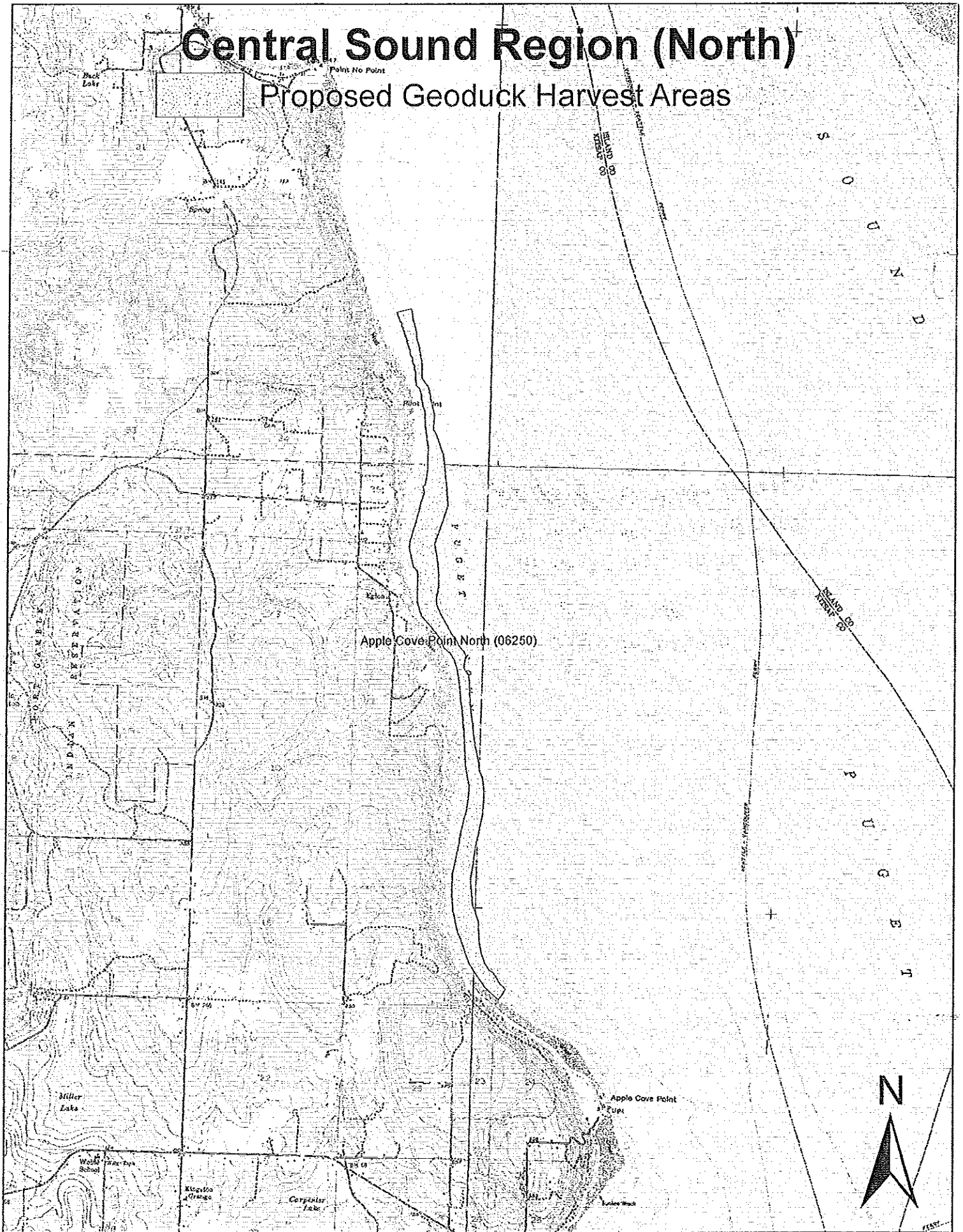
Distribution:

- Applicant's representative: Celia Barton, CELIA.BARTON@dnr.wa.gov
- DNR, Blain Reeves, BLAIN.REEVES@dnr.wa.gov
- Staff Planner: Lisa Lewis
- Kitsap County SEPA Environmental Official: David Greetham
- DCD, Karen Ashcraft
- EPA Manchester Lab: Barry Pepich, Pepich.Barry@epamail.epa.gov
- Friends of Gamble Bay: Gwenn Thomas, spt1@centurytel.net
- Greater Hansville Advisory Council: Art Ellison, aellison@donobi.net
- Hood Canal Coordinating Council: Scott Brewer, sbrewer@hccc.wa.gov
- Hood Canal Coordinating Council: Richard Brocksmith, rbrocksmith@hccc.wa.gov
- Jamestown S'Klallam Tribe: Kelly Toy, ktoy@jamestowntribe.org
- Kingston Citizens Advisory Council: Gregg Platz, gregoryplatz@hotmail.com
- Kingston Citizens Advisory Council: Denise Lietz, dml356b@hotmail.com
- Kitsap County Commissioner District 1, rpirtle@co.kitsap.wa.us
- Kitsap County Commissioner District 2, nhahn@co.kitsap.wa.us
- Kitsap County Commissioner District 3, ddaniels@co.kitsap.wa.us
- Kitsap County Health District, jamesb@health.co.kitsap.wa.us
- Lower Elwha Klallam: Doug Morrill, emorrill@elwa.nsn.us
- Lummi Tribe: Alan Chapman, alanc@lummi-nsn.gov
- Muckleshoot Tribe: Andy Dalton, Andy.Dalton@muckleshoot.nsn.us
- National Marine Fisheries Service (NMFS), Thomas Hooper, thomas.hooper@noaa.gov
- NMFS Manchester Research Station, NOAA Tom Flagg, tom.flagg@noaa.gov
- Northwest Indian Fisheries Commission, 6730 Martin Way East, Olympia, WA 98516
- Point No Point Treaty Council: Randy Hatch, rhatch@pnptc.org
- Port Gamble – S'Klallam Tribe: Jessica Coyle, jcoyle@pgst.nsn.us
- Port Gamble – S'Klallam Tribe: Tamara Gage, tgage@pgst.nsn.us
- Skokomish Tribe: Jon Wolf, 80 N Tribal Center Rd, Skokomish Nation, WA 98584
- Skokomish Tribe: Randy Lumper, rlumper@skokomish.org
- Squaxin Tribe: John Konovsky, jkonovsky@squaxin.nsn.us

- Suquamish Advisory Council: bgoodrich@embarqmail.com
- Suquamish Tribe, Paul Williams, pwilliams@suquamish.nsn.us
- Swinomish Tribal Community: Jim Gibson, jgibson@skagitcoop.org
- Tulalip Tribe, Mike McHugh, mmchugh@tulalip.nsn.us
- US Fish and Wildlife Service, Tim Romanski, Tim_Romanski@r1.fws.gov
- US Coast Guard 13th District: Brian Corrigan, Brian.P.Corrigan@uscg.mil
- US Navy Fuel Department, FISC Puget Sound: Robert V. Cairns, Fleet & Industrial Supply Center Puget Sound (FISCPS), 467 West Street, Bremerton, WA 98314-5100
- US Navy: Spencer Horning, spencer.horning@navy.mil
- Washington State Department of Ecology: Joe Burcar, jobu461@ECY.WA.GOV
- Washington State Department of Health Shellfish Program:
maryanne.guichard@doh.wa.gov
- Washington State Department of Fish and Wildlife: Bob.Sizemore@dfw.wa.gov
- Washington State Department of Fish and Wildlife: Chris.Waldbillig@dfw.wa.gov
- Washington State Parks Area Manager for Blake Island and Manchester area: David Roe, david.roe@parks.wa.gov.

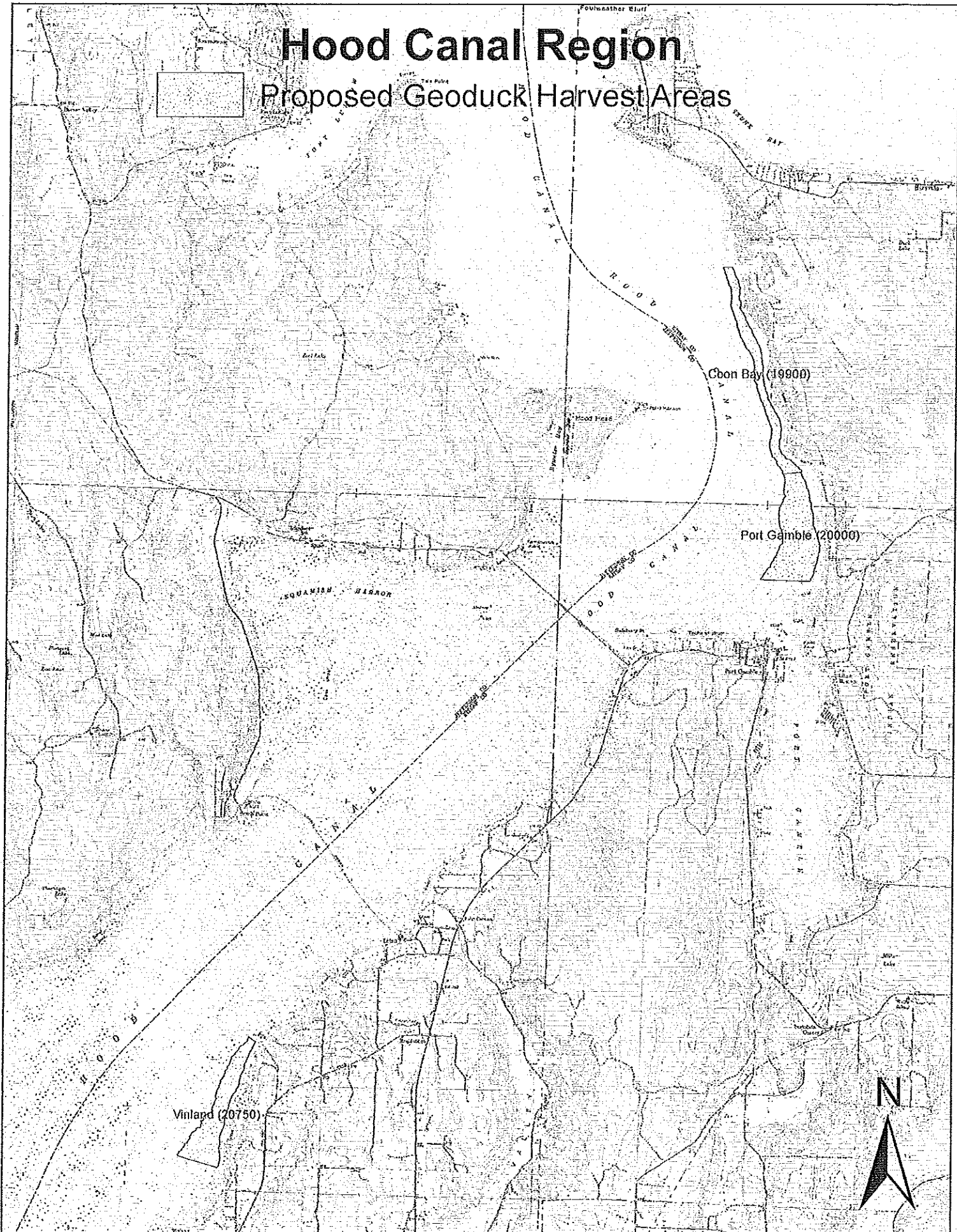
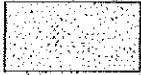
Central Sound Region (North)

Proposed Geoduck Harvest Areas



Hood Canal Region

Proposed Geoduck Harvest Areas



Coon Bay (19900)

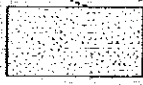
Port Gamble (20000)

Vinland (20750)



Central Sound Region (South)

Proposed Geoduck Harvest Areas



chester

Diby

Spokane Cars

Harper Church

Southworth

Southworth

Point Southworth

Point Vashon

Vashon Heights

Vashon Island

Blake Island North (08400)

Blake Island
BLAKE ISLAND
STATE MARINE PARK

BLAKE ISLAND

STATE PARK
ISLAND

Tritium Village

Light

Campground

Campground

Swampy Blais 2

ALLEN BANK

KITSAP CO
KING CO

