



**DEPARTMENT OF
NATURAL RESOURCES**

AQUATIC RESOURCES DIVISION

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MITIGATED DETERMINATION OF NONSIGNIFICANCE

Description of proposal: The Washington Department of Natural Resources (DNR) is considering re-leasing approximately 10.096 acres of state-owned tidelands in Dabob Bay, Hood Canal, for the purpose of commercial aquaculture.

The following farming methods are being proposed by the applicant:

On-bottom beach oysters – Oyster seed may be attached to old oyster shell; scattered unattached and/or seeded cultch bags may be used. All harvesting will be done by hand. Workers will access the beach by boat or land depending upon the season and accessibility.

Manila clams – Clam seed will be scattered on the beach by hand, and planting generally takes place in the spring and summer. Clam cover nets may be used. Harvesting may occur approximately 18 months to four years after planting, and will depend upon growth rates and market demands.

Description of mitigation:

Habitat Stewardship – DNR has evaluated the potential for impacts from this proposal. The following mitigation shall be implemented by the proponent as conditions of a proposed lease:

- The applicant shall avoid water and sediment contamination that may result from leaks, spills, and faulty machinery. In case of a spill or leak, the applicant must contain and cleanup the materials. They must also contact the proper agencies (including DNR) following any release of materials.
- The applicant must prevent the accumulation and/or release of debris to state-owned aquatic land (SOAL).
- Beach access routes to the property for equipment or personnel on foot would be established to minimize impacts to sensitive aquatic resources, such as forage fish spawning areas and aquatic vegetation. Specific access methods would be defined by the lessee in conjunction with DNR and designated in the lease.
- Water access to the property would be established to the extent practicable to minimize impacts to sensitive aquatic resources, such as forage fish spawning areas and aquatic vegetation. Specific access methods would be defined by the lessee in conjunction with DNR.
- Predator exclusion devices (e.g., clam netting) must be installed securely by the applicant so that they do not break free and litter surrounding areas.
- All excess or unsecured materials and trash must be removed by the applicant from SOAL prior to the next incoming tide.

- The applicant would need to contact DNR prior to any proposal to place any washed gravel as a substrate amendment on the property. Washing of gravels reduces turbidity during placement of substrate.

Additional information: This notice also fulfills DNR’s obligation to notify any abutting upland property owners of DNR’s intention to lease these tidelands as required under WAC 332-30-122(1)(a)(iii).

Tribal Sharing – A shellfish aquaculture lease at this location is categorized as a “covered lease.” Pursuant to Section 4 of the 2007 Consent Decree and Settlement Agreement in association with United States v. State of Washington, Subproceeding 89-3, these tidelands shall remain in covered status (i.e., exempt from the exercise of tribal treaty fishing rights for the term of the proposed lease).

Proponents: Western Oyster Properties (tenant) and Dabob Bay Oyster Company (subtenant)

Location of proposal, including street address, if any:

A portion of second-class tidelands located in Dabob Bay, more accurately defined as being located in front of Government Lot 3 (NE ¼ SW ¼) within Section 28, Township 26 North, Range 1 West, Willamette Meridian. Located entirely within Jefferson County.

Lead agency: Washington Department of Natural Resources (DNR)

The lead agency for this proposal has determined that it 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 a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

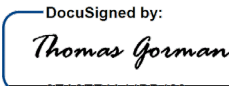
This MDNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from August 13, 2020. Comments must be submitted by August 27, 2020.

Responsible Official: Tom Gorman

Position/Title: Interim Aquatic Resources Division Manager **Phone:** 360-740-6812

Address: 1111 Washington St SE
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Date: 8/12/2020

Signature: 
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There is no DNR administrative SEPA appeal.