

Hood Canal Environmental Council

Spring/Summer 2018

Protecting Hood Canal since 1969

Industrial geoduck farming in Hood Canal

(Sue Corbett)

Residents of Shine in Jefferson County have concerns about the industrial geoduck farming in Squamish Harbor. We have witnessed the harmful effects that geoduck farming practices have on the marine environment. First the farmers rake the tidelands free of all marine vegetation and creatures. Then they plant about 44,000 PVC tubes per acre into the tidelands and the geoduck seed go into the tubes. Small nets and bands are placed over the tubes and large nets are placed over the planted areas. In time, hundreds of tubes have been dislodged; some are strewn down the beach and others out into the harbor.



As the plastic erodes, particles are released into the marine waters and most likely are ingested by marine creatures. Small nets and bands come loose also. Some of the tubes are planted in native eelgrass areas.



Workers tromp over the area and drag the nets to rearrange them. Eelgrass is extremely important to the marine environment; it provides protection and spawning grounds for forage fish. Survival of salmon and endangered Marbled Murrelet depend on forage fish.



Next, the farmers harvest the geoducks, using hydraulic hoses to liquify the tidelands to pull out the geoducks. The geoduck industry has been exempted from having to get hydraulic permit approval (HPA). Why??? Someone putting in a dock or anchoring their boat needs to get a permit but the geoduck harvesting of acres of tidelands is exempt. Once the geoducks are harvested, the process starts all over again.

The aquaculture industry uses outdated research to promote their cause, but current research is providing us with more information about the harmful effects of geoduck farming practices. More studies are needed into the cumulative effects of geoduck farming.

In Squamish Harbor about 5 acres of geoducks have already been planted and another 8 are proposed. Jefferson County has stated that the 8 proposed farms require a county permit. The farmer has submitted a pre-application for those 8 acres. When public comment is allowed, statements from the public supporting protections for the marine environment would be appreciated.



Actions that may help protect Hood Canal from industrial geoduck farming (Phil Best)

Protect Zangle Cove, Coalition to Protect Puget Sound Habitat and Wild Fish Conservancy sued the Washington Department of Fish and Wildlife (WDFW) to stop it from exempting industrial shellfish aquaculture projects from Hydraulic Project Approval (HPA) standards that protect fish and marine habitats. The lawsuit contends this exemption has no legal basis, asks the court to direct WDFW to apply the law consistently to shellfish aquaculture projects and to halt development of a geoduck farm planned for Zangle Cove, a near pristine estuary in South Puget Sound, until it receives an HPA permit. See <https://www.prnewswire.com/news-releases/conservation-groups-sue-state-to-demand-it-protect-coastal-shorelines-by-ending-permitting-exemption-for-industrial-shellfish-aquaculture-300629430.html>

The Washington State Shorelines Hearings Board (SHB) decision that a permit to operate a 5-acre commercial geoduck farm on Henderson Bay did not adequately protect the eelgrass, was upheld by the Washington State Court of Appeals, with an extensive discussion of the importance of eelgrass and the need for cumulative impact analysis of multiple geoduck farms. See <https://caselaw.findlaw.com/wa-court-of-appeals/1776438.html>

The Swinomish Indian Tribal Community and Earthjustice sued the Army Corps of Engineers in Washington federal court, alleging the agency violated U.S. environmental law by not providing protections for habitats critical to a threatened salmon species. Nationwide Permit (NWP) 48 contains measures requiring avoidance of eelgrass beds in “new” operations that have never been cultivated, but makes those mandatory avoidance measures inapplicable to thousands of acres in Puget Sound of eelgrass beds in *continuing fallow areas* (where prior shellfish operations were discontinued). This case challenges the application and implementation of NWP 48 in North Puget Sound in areas with eelgrass beds for violating three federal laws and their implementing regulations. See <https://olyopen.com/2018/05/29/swinomish-tribe-and-others-sue-army-corp-over-lack-of-eelgrass-protections/> [Note: Hood Canal also is subject to NWP 48 and will be affected by the court’s decision; and also Mason County Shoreline Master Program recognizes “fallow areas” as getting special exempt treatment for intensive shellfish farming].

The Washington Department of Ecology (WSDOE) denied a permit request by shellfish growers from Willapa Grays Harbor Oyster Growers Association (WGHOGA) to use the pesticide imidacloprid on oyster beds in Willapa Bay and Grays Harbor to control native burrowing shrimp, after concluding that the proposal cannot meet Washington’s environmental protection laws.

Reasons for the denial include: impact to the marine organisms that live in the sediments where the pesticide application is proposed; uncertainty about the long-term impacts associated with this pesticide; negative impacts to fish and birds caused by killing sources of food and disrupting the food web; even at low concentrations, imidacloprid has significant impacts on the environment. Pesticides had been allowed to kill burrowing shrimp in Willapa Bay, but public outcry about food safety carried the day. See <https://www.seattletimes.com/life/food-drink/washington-state-says-no-to-spraying-neurotoxic-pesticide-on-oyster-beds/> and <https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Aquatic-pesticide-permits/Burrowing-shrimp-control-Imidacloprid>

[Note: WSDOE has changed its tune on using pesticides on shellfish beds – at first issuing a permit and now denying one; so let’s hope the agency can see fit to change from promoting industrial shellfish farming to controlling it.]

NAVY TRAINING OPS IN HOOD CANAL

HCEC joined the West Coast Alliance and others opposing a Western Washington “Special Operations Training” program proposed by the U.S. Navy. Many proposed training sites are located on nearshore lands and inland waters of Hood Canal.

The Navy proposal to conduct training activities on private lands and state parks fails to fully consider potential impacts on communities and private property owners. Laws discourage allowing state parks to be used for military training and prohibit activities that disturb or cause fear to park users. Military bases in the Puget Sound region already provide enough coastline property for the proposed training exercises. The Navy has not demonstrated why existing locations are inadequate. Proposed training operations would impact communities and their environmental and economic well-being. The Draft EA does not assess: the level of impacts to multiple “secret” sites; potential economic impacts to tourism or private property values; impacts on children who may be frightened by realistic compact activities; hazards to civilians; effects of sonar use by mini-submarines and other disturbances; and marine navigation hazards. Drones or robotic surveillance technology is not disclosed. The Navy has not produced a checklist of birds and other sensitive or endangered wildlife or a procedure to follow (**continue to ‘Navy Training’ on page 5**)

Pleasant Harbor Master Planned Resort

Over objections made by the HCEC and other groups and individuals, the Jefferson County Board of County Commissioners (BOCC) approved the Development Agreement and Development Regulations for the proposed Pleasant Harbor Master Planned Resort (MPR) on June 4, 2018. The purpose of the agreement between the county and the developer is to guide the development of the MPR while providing longer-than-normal timeframes and vesting to existing local code. The regulations describe the purpose, permitted uses and zone-specific development standards, e.g. height and setbacks. Approval of the agreement and regulations paves the way for BOCC to make a final decision on whether to approve the MPR proposed by the Canadian developer, Statesman Group.

In April, the HCEC submitted both oral and written comments to the county expressing serious concerns about language in the draft documents. Procedural issues include the question of consistency between the agreement and the regulations. The county added to the confusion by presenting 2 versions of the regulations – one from the county and the other from the Planning Commission - making it difficult to know which version the public was being asked to comment on. Another concern is that the agreement allowed an indefinite and unlimited build-out period which could result in the county approving a perpetual agreement, since there is no deadline for completing any phase. Further, the agreement gives the developer vesting rights for not only the procedures relating to the processing of permits, but also substantive regulations, ignoring the fact that if the county decided to impose new regulations, the developer could appeal that decision.

More substantive issues raised by the HCEC and other groups are the potential negative environmental, social and economic impacts from the proposed development. Environmental concerns include the proposed treatment of the “kettles”, wildlife management plan deficiencies, and assignment of responsibility for water quality monitoring and enforcement. Social and economic issues include the question of whether the true costs to the local economy are being disclosed by the county and the developer. The HCEC supports requiring the developer to submit a performance bond to cover all potential costs to assure no net economic loss to the local community.

Opposition to the proposed MPR remains high. Besides the HCEC, other entities voicing concerns about the draft documents and the proposed development include The Brinnon Group, the Port Gamble S'Klallam and Jamestown S'Klallam Tribes, the Sierra Club, local Brinnon residents and other groups and individuals. In an April 4, 2018 letter to the BOCC, the county's own Planning Commission expressed serious concern that “unintended consequences could result from full implementation of the Pleasant Harbor Marina and Golf Master Resort as currently proposed.” Carol Morris of Morris Law, P.C. and J. Richard Aramburu, attorney for The Brinnon Group, submitted letters detailing numerous problems with the MPR approval process.

On June 26, 2018 the Brinnon Group filed a Land Use Petition (LUPA) in Kitsap County Superior Court to invalidate the developer agreement and supporting ordinance. An appeal of Jefferson County's Ordinances will also be filed with the Western Washington Growth Management Hearings Board. See <http://www.brinnongroup.org/>

The HCEC fully supports The Brinnon Group. For more information or to find out how you can get involved, contact Donna Simmons at (360) 877-5747 or by e-mail to nana@hctc.com.

URGENT – REQUEST FOR DONATIONS

The HCEC is conducting a **MATCHING FUND CAMPAIGN** to raise money for The Brinnon Group (TBG), effectively allowing that organization to continue its lead role in the fight against the proposed Pleasant Harbor mega resort. The HCEC will contribute \$500 as a dollar-for-dollar match for other donations received, effectively doubling the HCEC contribution and yours.

The TBG is a 501c3 organization with state non-profit status. Checks (in any amount) should be made out to “The Brinnon Group” and mailed to the Hood Canal Environmental Council, P.O. Box 87, Seabeck, WA 98380. The HCEC and The Brinnon Group greatly appreciate your donation.

GPC ACTIVITIES PROTECT HOOD CANAL SHORELINES

At the HCEC board meeting in February, Jonathan Decker, Conservation Program Director for the Great Peninsula Conservancy (GPC), described his organization's work to protect Hood Canal marine shorelines and tideland habitats through a unique partnership with the Hood Canal Coordinating Council (HCCC). The GPC and HCCC have teamed up to identify, purchase, restore and protect properties through the HCCC's In Lieu Fee (ILF) Mitigation Program. The ILF Program funds the acquisition and restoration of the properties and the GPC becomes the owner, ensuring its permanent protection from development.

The HCCC ILF Program provides an alternate mitigation option for authorized, unavoidable impacts to freshwater and marine aquatic resources. The U.S. Navy puts money into an account administered by the HCCC in lieu of actual mitigation to ameliorate any harm caused by its activities.

In January, 20 acres were protected between Vinland and Lofall in northern Hood Canal through the ILF Program. Now called the Bob and Melissa Olson Shoreline Preserve, this acquisition includes 490 feet of shoreline and 6 acres of tidelands, resulting in the protection of one of the few remaining larger marine shoreline parcels north of Bangor. In April, the ILF Program partners protected 31 acres near Little Dewatto Bay in southern Hood Canal, preserving 1,700 feet of high bluff shoreline in addition to 11 acres of tidelands, streams and forestland. Other properties acquired through the ILF Program include the Anderson Bluff in Central Kitsap, Irene Creek in Belfair, and Myrvang Wetlands near Port Gamble.

The HCEC has always been a strong advocate for protecting what is left of our natural areas in the Hood Canal watershed and strongly supports the work of the GPC. Among other accomplishments, the GPC was a key participant in the Forest and Bay preservation campaign, involving 4,000 acres near Port Gamble Bay. Additional properties managed by the GPC are located at Harding Creek and Beard's Cove.

For more information about the GPC, contact Jonathan Decker at (360) 373-3500 or e-mail to jona-than@greatpeninsula.org. Information about the HCCC's In Lieu Fee Mitigation Program can be found at <http://hccc.wa.gov/content/mitigation>.

THE FUTURE OF HOOD CANAL IN A CHANGING CLIMATE

Thirteen federal agencies recently released their latest scientific report on the reality of global climate change. The congressionally mandated National Climate Assessment is produced every 4 years and represents the most up-to-date and definitive statement regarding climate science. According to this report, in the last 115 years average temperatures increased 1.8 degrees, resulting in extreme weather events, sea level rise, decreased polar ice, warming oceans, flooding, forest fires and threats to natural resources and human health. Everywhere on the planet, including in the Hood Canal region, the effects of increasing greenhouse gas emissions will be felt to some extent.

Projected impacts in Hood Canal are documented in a Hood Canal Coordinating Council (HCCC) report prepared for the 2015 Hood Canal Climate Adaptation Workshop, in which HCEC board members participated. Future climate projections for this watershed include: increased air temperature, increased extreme precipitation, a shift from a mixed rain and snow system in the Olympic Mountains to a rain dominant system, a shift in peak stream flow from late spring to early winter, and a potential increase in severe weather-related events.

The consequences for Hood Canal's natural and human resources include impacts to salmon from declining habitat quality, shifts in migration, and reduced survivability due to unfavorable conditions, including ocean conditions; impacts to shellfish from ocean acidification; impacts to forest processes; greater potential for invasive species; impacts to forestry, agriculture, infrastructure and water resources; impacts to human health, e.g. increased respiratory disease, allergies and emergent new diseases; and tribal and cultural impacts, including loss of culturally important food resources, reservation land and sacred sites.

The National Climate Assessment contradicts Trump administration officials who continue to ignore their own scientists' conclusions that human activities are the dominant cause of earth's rising temperatures. HCEC and other environmental groups will continue to fight for major changes to anti climate change policies and regulations at the federal level. At the local level, we encourage our members to get involved in planning for the projected changes, including asking local governments to prepare climate action plans, if they have not already done so.

For more information about the federal report or the HCCC's summary of climate change projections for Hood Canal, contact Donna Simmons at (360) 877-5747 or nana@hctc.com.

HCEC BOARD OF DIRECTORS

Donna Simmons - President
nana@hctc.com

Gary Cunningham, JD - Vice President
gary@hoodcanalenvironmentalcouncil.org

Phil Best, JD - Secretary
pbest@wavecable.com

Don Seavy, PhD - Treasurer
don@hoodcanalenvironmentalcouncil.org

Bill Matchett, PhD
info@hoodcanalenvironmentalcouncil.org

Judy Matchett
info@hoodcanalenvironmentalcouncil.org

Karen Best
karen@hoodcanalenvironmentalcouncil.org

Warren Lewis
warren@hoodcanalenvironmentalcouncil.org

Terry Reeve
terry@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.

NO-DISCHARGE-ZONE FOR PUGET SOUND

A "No Discharge Zone" recently established by the Washington State Department of Ecology (WSDOE) includes Puget Sound to the Canadian border, Lake Washington and Lake Union. Recreational and commercial boaters in Puget Sound, including Hood Canal, will no longer be allowed to pump sewage (even if treated) into the waters within this zone and will need to pump out toilet waste at pump-out facilities, hold waste in tanks, or wait until they are out of the zone. It does not apply to graywater. The rule took effect beginning May 10, but tugboats, commercial fishing vessels, federal research vessels and some others have until 2023 to comply.

HCEC supports the No Discharge Zone to protect our marine resources. While sewage discharged by boaters is not a major pollution source compared to other sources, even minor ones should be eliminated where possible. Marine sanitation devices used by boaters do not treat sewage adequately. Even treated sewage contains concentrations of fecal bacteria that are above state standards for water quality often resulting in shellfish harvest closures.

HCEC supports convenient and accessible boat sewage pumpout stations and toilets around the Hood Canal watershed for recreational boaters and fishermen. We hope that boaters will comply with the new rule.

For more information about the No Discharge Zone, contact Amy Jankowiak at 425-649-7195 or amy.jankowiak@ecology.wa.gov. Information can also be found on the WSDOE website <https://ecology.wa.gov>

HOOD CANAL ENVIRONMENTAL COUNCIL YEARLY MEMBERSHIP REGISTRATION

Individual	\$10 _____
Family	\$30 _____
Group	\$50 _____
Patrol	\$100 _____

Contributions in any amount are welcome

NAME _____

MAIL ADDRESS _____

EMAIL ADDRESS _____

HOW I CAN HELP _____

Please send this coupon and your check to: HCEC,
PO Box 87, Seabeck, WA 98380

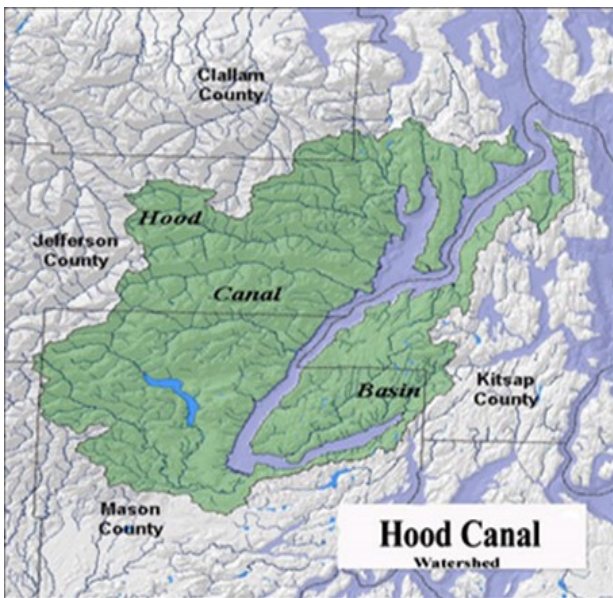
Navy Training - continued from page 2

if and when they are found in the training site. The project could intimidate people engaged in outdoor activities and lead to a lack of trust between the Navy and civilians.

For more information about the Navy's proposal, contact the Naval Special Warfare Command, 2000 Trident Way, Bldg. 624, San Diego, California 92155-5599. For more information about HCEC's position contact Donna Simmons at nana@hctc.com.

Hood Canal Environmental Council

PO Box 87
Seabeck, WA 98380



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>

Need a Speaker for your Community Group Meeting?

Those who have a connection with Hood Canal cherish it as a pristine, beautiful treasure. Beginning in September, HCEC can present a program to your group on issues that threaten Hood Canal. If interested, please contact Donna Simmons at (360) 877-5747 or nana@hctc.com. The presentation, with time for questions, is approximately 45 minutes. We are willing to travel anywhere around Hood Canal or its environs.

HELP WANTED

Someone to take care of our web page. Contact Bob Wiltermood if interested at 360-731-8975