

# Hood Canal Environmental Council

Fall 2020

Protecting Hood Canal since 1969

## Hood Canal Shellfish Initiative

(Phil Best)

The Hood Canal Shellfish Summit is scheduled for October 22, 2020 from 12:30 to 3:30 pm via Zoom. Register now by clicking this invitation [link](#) and see this [flyer](#).

Hood Canal Coordinating Council (HCCC) is developing a Hood Canal Shellfish Initiative (HCSI) focused on local issues and priorities. Learn more about the Hood Canal Shellfish Initiative and track implementation progress at [HCCC.wa.gov/ShellfishInitiative](http://HCCC.wa.gov/ShellfishInitiative) and [OurHoodCanal.org](http://OurHoodCanal.org).

HCCC brings Jefferson, Kitsap, and Mason Counties, and the Port Gamble S’Klallam and Skokomish Tribes together to address transboundary resource management issues to protect and recover Hood Canal’s environmental, economic, and cultural wellbeing.

### HCSI Priority Actions (top 18 of 70 total actions):

Thirty-one people from various academic, industry, governmental, tribal and environmental interests, including a representative from HCEC, were on an advisory workgroup that used consensus-based structured decision making in 10 meetings to create a proposed HCSI Action Plan.

### HCSI Goal

Honor tribal treaty rights, build resilience, pursue ecosystem protection and restoration, and support careful stewardship of tribal, commercial, and recreational shellfish activities now and into the future.

### HCSI Action Plan Objectives:

- Protect and improve Hood Canal’s water quality
- Protect and improve shellfish habitat
- Promote cultural appreciation of Hood Canal shellfish
- Support a sustainable Hood Canal commercial shellfish industry
- Expand harvest opportunities for treaty tribes, the local community, and visitors
- Restore native Hood Canal Olympia Oyster populations

Rank	Action
1	Implement Pollution Identification and Correction programs
2	Coordinate and increase enhancement and seeding of clams, oysters, and geoduck at appropriate public harvest sites
3	Conduct an assessment of shellfish-related county land use policies/regulations for impacts to shellfish habitat
4	Support culvert removal and restoration for important shellfish habitat
5	Coordinate a water quality workgroup of tribes, local jurisdictions, and state agencies (i.e. HCRPIC)
6	Coordinate a cross-jurisdictional approach for dedicated and sustainable funding for PIC and OSS management programs
7	Support soft armoring and hard armoring removal
8	Create a list of viable shellfish protection/restoration areas per native species
9	Monitor toxic chemicals in Hood Canal fish, shellfish, eelgrass/seaweeds
10	Promote best management practices for salmon habitat protection/restoration efforts that could adversely affect shellfish habitat <b>and, conversely, promote best management practices for shellfish culture that could adversely affect salmon habit protection/restoration efforts</b> [Note—suggested text in red not yet accepted at this writing]
11	Ensure on-site septic system maintenance records are up to date
12	Develop and implement a Hood Canal-specific Olympia Oyster restoration plan
13	Create scholarships & local grants for K-12 and college students to study local cultures around Hood Canal shellfish
14	Coordinate Hood Canal Olympia Oyster restoration practitioners to collaborate with the Native Olympia Oyster Collaborative (NOOC)
15	Incorporate tribal and non-tribal cultural practices associated with shellfish into the Washington Office of Superintendent of Public Instruction's Native American curriculum, where appropriate
16	Conduct spatial analysis to identify suitable sites for aquaculture development and ecosystem protection needs
17	Develop a guide for boat-in shellfishing access and best practices
18	Develop pre-permitting process for priority aquaculture development sites ("shellfish enterprise zones")

# Squamish Harbor Geoduck Farms

(Jan Wold)

Squamish Harbor is southwest of the Hood Canal Floating Bridge in Jefferson County (See Map). An existing 3.58-acre commercial geoduck farm owned and operated by BDN LLC (BDN) along Shine Road is on the north side of Squamish Harbor approximately 1.5 miles west of the bridge. BDN seeks a county Shoreline Development Permit for an additional 5.15-acre commercial geoduck farm adjacent to Shine Road on private tidelands owned by James Smersh approximately 2,000 feet east of the existing BDN commercial geoduck farm.

The proposed new BDN geoduck farm borders Jefferson County's Hick's Park and Boat Launch approximately 20 feet from the public boat launch. This geoduck farm would create navigation, safety and visual impacts for the public while they are boating, swimming, picnicking, sightseeing, digging clams, crabbing, fishing and enjoying other recreational activities at Hick's Park.

The county considers the BDN/Smersh application to be incomplete. Public comments on the proposed county permit and State Environmental Policy Act (SEPA) determination will be received when the county deems the application to be complete.

Most geoducks harvested in Washington state are sold to Asia. Recently the value of geoducks has dropped but harvesting on the existing BDN commercial geoduck farm continues.

Plastic contamination of the marine environment is a concern as BDN proposes installing more than 200,000 additional plastic PVC tubes into the substrate at the Smersh site. Each tube is four inches in diameter by about ten inches long. Tiny geoducks are placed in each of these PVC tubes, and then each tube is covered with small nets held in place by rubber bands near the top of the tubes.

Sometimes large anti-predator nets are then placed across all of the planted tubes and attached to the tideland with rebar. Of concern are visual impacts from the tubes and commercial activities, noise and disturbance of other tideland species.

With this system hundreds of the tubes become dislodged and wash around the harbor, and many sink into deeper water below the lowest tides. Wave action and sand erode the plastic tubes and netting, releasing micro-plastics into the water, which can then be ingested by marine organisms and birds. Many marine species are known to have micro-plastic in their bodies.

Geoduck farmers remove the PVC tubes from around the growing geoducks after a couple of years, causing more disturbance to the substrate. The large anti-predator cover nets may continue to cover the growing geoducks. The plastic tubes and anti-predator netting could be a hazard to humans such as swimmers, kayakers and other boaters. Crabs, fish, herons, eagles and other marine life can be killed when trapped in the nets.



Under natural conditions geoducks can live to be 100 years old. Before planting a new commercial geoduck farm, the geoduck farmers use high-pressure hydraulic hoses to liquify the substrate to remove naturally occurring geoducks. About five years later the hydraulic high-pressure hoses are again used to liquify the tidelands to harvest the now mature planted geoducks. These impacts of liquefying the tidelands occur in about five to seven-year cycles. Liquefaction and the resulting sediment drifting around Squamish Harbor can lead to reduction in the quantities and types of marine life. Boats used in planting and harvesting operations, as well as trampling by workers, also result in sedimentation and destruction of the eelgrass and tidelands.

Estuaries such as Squamish Harbor are some of the most diverse and imperiled ecosystems in the world. Millions of public dollars are being spent to restore Puget Sound habitat due to its importance for dwindling numbers of forage fish, salmon, orcas, marbled murrelets and numerous other species.

Herring, sand lance and surf smelt populations continue to decline, yet are critical in the food chain for these imperiled species. Herring and sand lance spawn and feed in the area of the proposed geoduck farm while surf smelt spawn nearby in Squamish Harbor.

Several threatened and endangered species use these tidelands, including listed salmon and birds, such as the highly endangered marbled murrelet. Threatened steelhead, chinook salmon and Hood Canal summer chum salmon use the area. Coho, fall run chinook, fall chum and pink salmon also occur in Hood Canal but are not federally listed at this time. Governor Inslee has signed an executive order to protect salmon and orca. Small salmon streams enter Hood Canal in the vicinity of the proposed geoduck farm.

(Continued on next page)



Native eelgrass is important in near-shore habitats: providing feeding and rearing habitat and cover from predators for many aquatic species, including salmon such as the threatened chinook salmon, Dungeness crab and forage fish. Eelgrass also provides spawning habitat for forage fish that are a food source for salmon, birds and many other species. The Puget Sound Chinook Recovery Plan determined that the preservation of functioning estuary and near-shore habitat is crucial for recovery of chinook. These chinook salmon are critical prey for orcas. The health of the Squamish Harbor food web is important for several dependent threatened and endangered species that may be at additional risk from impacts from these commercial shellfish operations.

Native eelgrass beds can lessen the impact of wave energy, which helps reduce shoreline erosion. These eelgrass beds are a carbon sink to help lessen global warming. Eelgrass can improve water quality by filtering sediments and nutrients. BDN/Smersh had eelgrass surveys performed. They state in their submission to Jefferson County that, "The 2018 bed edge closely matches the 2016 bed edge in some areas, but the patchy margin has receded waterward in many areas." That is, the eelgrass is already declining even before the projected impact of this proposed commercial geoduck farm begins.

North America's overall bird population has dropped 29% since 1970, with about three billion fewer birds now than nearly 50 years ago. Marbled murrelets, a small seabird that is a federally threatened species and a State of Washington endangered species, have been documented numerous times in Squamish Harbor where they dive for forage fish. They nest in old-growth forests where they rear a single nestling that is usually found in a depression on the limb of an old-growth tree. These nest trees are available in Olympic National Park west of Squamish Harbor. The devoted parents fly one forage fish at a time up to 55 miles to feed it to their single nestling.

A research paper titled, "Breeding Ecology of the Marbled Murrelet in Washington State", May 2009, stated that the low observed rate of confirmed nest initiation in all years from 2004-2008 and high rate of nest failure (80%) is possibly due to low prey availability at sea.

Another research article, "Marine Habitat Selection by Marbled Murrelets..." states that "in particular, marine areas in close proximity to old-growth nesting habitat appear important for murrelets during the breeding season and should be priorities for protection...the conservation of marbled murrelets may hinge on protecting not only nesting habitat...but also on foraging habitat." Sand lance are an important prey of breeding marbled murrelets. The article continues, "Given the marine habitat selection we observed in this study, we suggest that marine areas that should be prioritized for protection are those in closest proximity to large tracts of nesting habitat..."

Squamish Harbor and Hood Canal are also feeding grounds for large quantities of local and migrating birds. The western grebe is a state candidate for listing as endangered, threatened or sensitive. The common loon is listed as a state sensitive species. Both species are commonly seen feeding in Squamish Harbor in the area proposed for the geoduck farm. There is a large heron rookery a mile west of the proposed geoduck farm. Osprey and eagle nests are located in the area. These herons, eagles and ospreys depend on this area for food for themselves and their nestlings.

In recent federal litigation, the federal district court for Western Washington invalidated the U.S. government's blanket permit (Nationwide Permit 48) for commercial shellfish operations in Washington state. The court found that the lead federal agency, the U.S. Army Corps of Engineers, failed to properly analyze the cumulative effects of operations in Puget Sound under its permit, and had failed to comply with the federal Clean Water Act (CWA) or with the National Environmental Protection Act.

(NEPA), and that the Army Corps had provided inconsistent and unreliable estimates of affected tideland acreage in Puget Sound. The Corps Headquarters estimated 56,250 acres of tidelands, whereas the Seattle office of the Corps estimated 72,300 acres, but the court did not accept either figure, finding the Corps' process "suspect."

The court vacated all NWP 48 permits in the state of Washington. However, the judge allowed shellfish farmers to continue to operate under their permits, as long as they apply for a new permit by early December 2020, and do not plant in areas containing "mature native eelgrass beds" (a phrase not further defined). Like other commercial shellfish farms, the Squamish Harbor geoduck farms will need to apply for a new permit, which could be either an individual permit or, if initiated and completed by the Army Corps, a new national or regional permit. There will be opportunities for the public to comment on these new permit applications.

Before it can operate, the proposed Smersh geoduck farm will need both a federal permit and a county permit. In contrast, the existing BDN geoduck farm will need only a new federal permit because it was begun before a Jefferson county permit was required and was thus "grandfathered" by the county.

To follow the county process for the proposed new 5.15-acre commercial geoduck farm here is the link to the Jefferson County records for the Smersh/BDN application: <http://test.co.jefferson.wa.us/WebLinkExternal/0/fol/2073544/Row1.aspx>

To receive notifications from the County, write to Donna Frostholm at [dfrostholm@co.jefferson.wa.us](mailto:dfrostholm@co.jefferson.wa.us) and request to be a party of record in case MLA19-00036 BDN.

And here is the link to the 9th Circuit Court of Appeals. Look for case numbers 20-35546 and 20-35547 (but first you may need to create an account): <https://www.ca9.uscourts.gov/>

## HCEC Board Member Warren Lewis



HCEC lost a valuable board member when Warren Lewis passed away on February 21, 2020. Warren spent most of his life in Seabeck at his home which he designed and built. He brought a historical perspective to the board and a deep passion for Hood Canal's protection. All on the board will miss Warren's contributions and the wonderful twinkle in his eye. In his memory, HCEC contributed \$2,000 to Great Peninsula Conservancy (GPC) for permanent protection of Hood Canal habitat.

## HCEC Board Member Gary Cunningham



Gary Cunningham, one of the principal founders of HCEC in 1969, and a board member since, died on August 9, 2020, approximately 10 months after being diagnosed with ALS (Lou Gehrig's Disease). Gary was also one of the founders of Kitsap Land Trust which morphed in 2000, under his quiet leadership, together with other local land trusts, into GPC (Great Peninsula Conservancy). He is lovingly referred to as the "Father of GPC." Gary was deeply devoted to Hood Canal and our beautiful Northwest, doing what he could to preserve and protect the land he loved for future generations. He and his wife, Marilyn, have lived in a home on Hood Canal's shores near Seabeck for more than 50 years and hiked many trails in Olympic National Park with a GPC hiking group. HCEC and GPC, together, are planning to place a bench in memory of Gary, hopefully at the end of Misery Point, (SEE MAP) in 2021. It is a perfect spot to honor this wonderful man and we will let you know when this project is completed for you to enjoy in his honor. Any contributions to HCEC or to GPC toward this memorial bench would be welcomed.

## Pleasant Harbor Master Planned Resort

(Barbara Moore-Lewis for the Brinnon Group)

Note: The Brinnon Group sued Jefferson County and the developer of the proposed Pleasant Harbor Master Planned Resort (MPR), with HCEC support, and obtained a judgment revising the development agreement between the developer and the county. Below is an update since.

The Brinnon Group presented a signed petition to the Jefferson County Board of County Commissioners in October 2020. The petition asked the county

- To post the legal development agreement for the Pleasant Harbor Master Planned Resort (MPR) on the county website in an easily accessible place and
- To identify county, state, and federal permits the developer will need for the MPR and to post them on the website.

The county has failed to post the development agreement for more than a year. The only place it is available is on the Brinnon Group website.

The development agreement is a multi million dollar contract between the Canadian developer and the county. The Washington State Guidance on MPRs states that only 1 in 10 MPRs is developed successfully.

Jefferson County does not appear to be exercising oversight of the development contract. This leaves it up to citizens to monitor it.

- Citizens had to identify logging violations and report them to DNR
- Citizens had to alert the state Department of Health, which is reviewing the water plan, to give a copy of the plan to the county, which must also review and approve it.
- Citizens had to identify that the plan in the DNR logging permit application is not the plan that is in the FSEIS or the one that is in the development agreement.

Citizens will have to monitor the conflicts between the multi million dollar restoration of the Duckabush estuary and the urban density MPR.

The MPR impacts not only Brinnon, but all of the county. Research shows that the income to the county from the MPR will not cover the public expense for infrastructure. The higher taxes will affect everyone who pays taxes in Jefferson County.

Are you curious about HCEC's board meetings or have an issue you'd like to discuss? Join our online meeting. They happen on the third Wednesday of the month at 1:30 unless changed for an important reason.

Email Donna Simmons at [nana@hctc.com](mailto:nana@hctc.com) or Phil Best at [pbest@wavecable.com](mailto:pbest@wavecable.com). You will receive an email on the meeting date that will give you a clickable code to get online!

## What's Up in Holly?

(Bernadette Olson, Holly Community Club-HCC)

Late April I become aware of much noise over the ridge where my husband and I live south of Tekiu Point. We were at first unaware of where it all came from but soon found out that forest land above Anderson Cove had been clear cut. It was also most visible from the water. I therefore decided to find how much logging would be done, where and when. With the help of Katie Woolsey at DNR, I was able to procure the logging permit (FPA # 2420377) with a full description of how a logging road would be re-opened in order to log a total of 108 acres over 7 parcels that Manke Lumber owns between South of Tekiu Point and Anderson Cove. The 30 page logging application includes an extensive Geo Tech report. The logging permit was approved on 08/21/18 and is due to expire on 8/21/21. From the various maps on the permit, I could see that logging was approved for very steep areas (therefore requiring high lead cabling) and that the logging road was alongside and crossing a stream and also just above a Bald Eagle nest. While clearcutting may not happen in that area, it still would be quite destructive to the various old growth firs, cedars and maples that dot this pristine area.

I didn't think that it would be possible to stop the rest of the logging but I wanted to, at the very least, alert the local residents to what could be expected. I also put in inquiries with the Great Peninsula Conservancy (GPC) and Hood Canal Environmental Council (HCEC) mostly so they would be aware of the impending destruction. I heard from HCEC that they received many calls about this after Jan McLemore forwarded the information to members of HCC. Meanwhile I still wanted to find out when the logging operation in the lower part toward Hood Canal would start.

On June 19th I received a call back from the logging operations manager at Manke Lumber. He informed me that Manke Lumber was not planning to do any further logging in that specific area or in his words "for the foreseeable future." The only plans were to pick up the last of the trees and clean up the clearcut area. While I may never know what prompted this drastic change of plans since an extensive logging road was indeed reopened in early May, I cannot help to think that the Holly community as a whole had a hand in it. As for myself I will keep monitoring the area and encourage everyone to keep their ears and eyes open.

I have volunteered to represent Holly and the neighboring area on the HCEC board. HCEC is a 50-year old non-profit organization based in Seabeck. Some of the Holly residents may remember that back in 1971 HCEC managed to stop Boise Cascade Corporation from developing 6,000 acres of land between Holly and Dewatto, an ill-conceived project that would have destroyed the area. This is only one of many achievements of HCEC over the years. More recently HCEC successfully lobbied against the construction of a residential pier North of Tekiu Point. I encourage Holly residents to join HCEC, a true volunteer-based organization with no paid staff as there is always much that needs to be done to keep Hood Canal pristine.

## HCGMOA WORKS TO PROTECT HOOD CANAL FROM PROPOSED GRAVEL MINE

(Donna Simmons and Bruce Carter)

The Hood Canal Gravel Mine Opposition Association (HCGMOA) recently prevailed in its battle to protect the North Shore of Hood Canal from the Grump Venture (GRUMP) proposal to develop a 66 acre industrial grade gravel mining operation above the Port of Allyn boat ramp on the North Shore road. The HCGMOA was created by local citizens concerned about potential significant adverse impacts to the environment and residents' quality of life in an area zoned as residential by Mason County in 1996. The HCEC endorsed the HCGMOA when it was created and provides support as opportunities arise. Following is a brief history of events leading up to the final decision denying Grump's proposed gravel mine.

In 2017, at the urging of Commissioner Randy Neatherlin, Mason County issued a certificate allowing GRUMP an exemption from zoning regulations to operate a 66 acre commercial gravel pit with up to 100 dump truck trips per day in an area zoned for residential construction.

After complaints from the HCGMOA and other groups, including the HCEC, the county issued a stop work order after GRUMP began an unpermitted mining operation at the site. In January of 2020 the county issued an Administrative Determination rescinding its original approval of the operation, thereby prohibiting GRUMP from acquiring a reclamation permit from the Department of Natural Resources. The following month GRUMP filed an appeal of the county's decision. Hearings were held in July and August with the HCGMOA participating as an "intervenor."

On August 11, 2020 Grump's appeal was denied. The Hearings Examiner upheld the county's rescission of its SM-6 (surface mining) certification based on the fact that Grump lost its nonconforming use gravel mining rights because no commercial gravel mining had taken place over a 2 year time period (from 2017 through 2019). Grump is still allowed to use the gravel pit as a "hobby" mine.

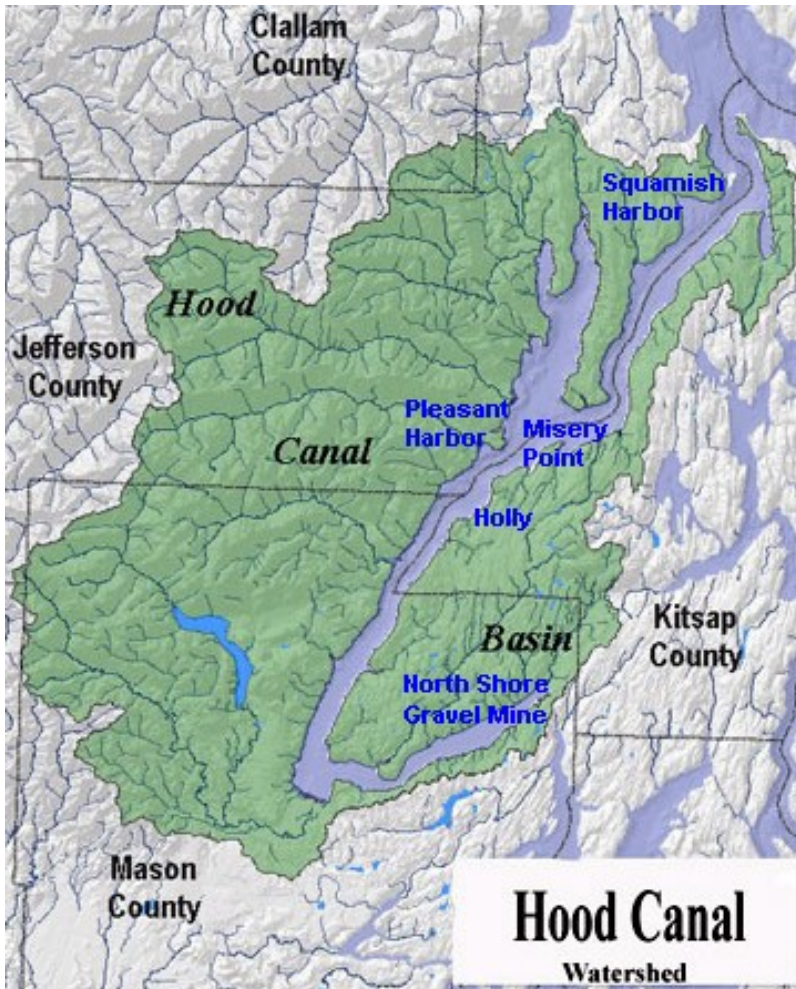
Grump has now appealed the Hearings Examiner's decision and asserted claims against Mason County under federal law, removing the appeal to Federal Court in Tacoma. During the appeal, the HCGMOA intends to remain active in its opposition to GRUMP's proposed 66 acre industrial gravel mine. HCGMOA's legal and other expenses have been higher than expected and could grow even higher defending the Hearings Examiner's decision on appeal to Federal Court. It is currently asking for donations to continue its work. Tax-deductible donations may be sent to HCGMOA at P.O. Box 400, Belfair, Washington 98528. The HCGMOA is a 501(c) (3) nonprofit corporation.

Bernadette Olson and Bruce Carter help keep us informed about their areas. We would welcome more input from others from all around Hood Canal. Call Donna Simmons, HCEC president, at 360-877-5747 or email her at [nana@hctc.com](mailto:nana@hctc.com)

**Hood Canal Environmental Council**

PO Box 87

Seabeck, WA 98380



**HOOD CANAL ENVIRONMENTAL COUNCIL  
YEARLY MEMBERSHIP REGISTRATION**

Individual \$10 \_\_\_\_\_

Family \$30 \_\_\_\_\_

Group \$100 \_\_\_\_\_

Contributions in any amount are welcome

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