



*Promoting the protection, conservation and restoration of natural forest ecosystems and their processes on the Olympic Peninsula, including fish and wildlife habitat, and surrounding ecosystems*

13 March 2021

Ms. Donna Frostholt, Program Officer  
Jefferson County Department of Community Development  
Development Review Division  
621 Sheridan Street  
Port Townsend, WA.  
98368

*Via electronic email at: [dfrostholt@co.jefferson.wa.us](mailto:dfrostholt@co.jefferson.wa.us)*

Re: MLA 20-00124 Shoreline Conditional Use Application by Skokomish Tribe for 50-acre Aquaculture lease in Dabob Bay - Addendum

Dear Ms. Frostholt,

Please consider this an addendum to the Olympic Forest Coalition comment letter submitted on March 13, 2021. Thank you for the opportunity to add to our comment the following important additional information. The Olympic Forest Coalition (OFCO) would like to stress to the Department of Community Development (the Department) that the application does not contain sufficient, nor adequate information for the Departmental review and evaluation of the environment impacts of this project on important species.

The area considered for the proposed lease is rich in biodiversity of plants, animals, fish, and marine life as it exists today, and clearly functions as a nursery ground for many species. It is highly likely that dumping 2500 cubic yards of gravel (equivalent to 250 dump truck loads) over several years to bury 3.3 acres and cover it with netting, as well as covering 1.3 acres of intertidal wetlands with oyster bags, will cause significant disruption and impacts to intertidal wetland habitats and directly impact intertidal species. In addition, it is extremely likely that this gravel will shift and migrate over time with currents and longshore drift, burying surrounding areas.

Below are some of the species present on the proposed tideland lease site and probably impacts of this proposal on these species:

Spawning ground for herring, sandlance, and surf smelt spawning grounds occur in the lease area according to WDFW forage fish mapping (WDFW online). Dumping gravel and burying intertidal habitat will directly destroy eggs and spawning areas for these fish and have impacts on the larger food web that depends on these species, including salmon.

Dabob Bay intertidal areas are documented spawning habitat for plainfin midshipman, which make their nests under larger rocks and old oyster reefs from May through mid-July (Gordon et al. 2018). The spawning midshipman are a critical part of the larger foodweb that attracts congregations of bald eagles. As many as 20 eagles at a time have been seen in the spring at the proposed lease area (Lazelle pers. comm.), probably feeding on midshipman. Burying

intertidal habitat will potentially directly destroy eggs and spawning areas and kill spawning adults, as well as destroy a food source for eagles and other species.

Dabob Bay is documented nearshore habitat used for rearing by juvenile summer chum salmon and juvenile Chinook salmon, both federal threatened species. Research has shown juvenile summer chum are widely distributed along the shorelines of Dabob Bay (Tuohy et al 2018, Daubenberger et al 2017, Bahls 2004). Burying the intertidal wetlands destroys the productive substrate of the tidelands that forms the foundation for the larger food web – the algae, zooplankton and invertebrates that provide food for juvenile summer chum and other species. By burying these productive inter-tidal wetlands, the project will impact juvenile summer chum during a critical phase in their life history.

In addition, the water quality impacts of the proposal have not been addressed. Although we assume “washed” pea gravel will be used, this type of gravel includes a residue of fine sediment when the equivalent of 45 dump truck loads of such gravel per year are dumped into the intertidal waters from a barge, there is a high likelihood that excessive turbidity will result and spread to the larger area, impacting water quality, visibility, and the ability of native species such as juvenile chum salmon to forage. Turbidity and fine sediment deposition during the spawning season for forage fish is also likely to cause mortality.

There is no adequate mitigation proposed for the burial of the intertidal wetlands and the destruction of their productive capacity and that the spawning grounds and survival of marine species. The proposed wetland fill alone represents a high probability of significant environmental effects. As such, under SEPA, the proposal requires an Environmental Impact Statement.

OFCO would further like to draw the Department’s attention to the increasingly close scrutiny by federal courts to inadequate environmental analysis and regulation of commercial shellfish operations, resulting in the denial of commercial aquaculture operations in federal waters. In a recent series of cases about shellfish operations in Puget Sound, federal courts denied the Army Corps of Engineers NWP 48, the 2017 “nation-wide permit” granted by the U.S. Army Corps of Engineers to commercial shellfish aquaculture to intensify operations including authorizing “discharges, structures and works” in Washington’s coastal marine habitat.<sup>1</sup> Courts found that the environmental analysis was wholly inadequate to assess the environmental impact of the proposed permit, including analysis by the Army Corps and Washington State agencies. With increasing concern about pollution loading in our marine waters, the Department should take a precautionary approach and require additional information.

OFCO requests that the Department deny the permit until adequate and sufficient information about environmental impact analysis, mitigation measures, and monitoring are included in the application. Thank you for your kind attention to our concerns.

Sincerely,



Connie Gallant, President  
Olympic Forest Coalition

#### Literature Cited

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<sup>1</sup> Coalition to Protect Puget Sound Habitat v. Army Corps of Engineers, D.C. No. 2:16-cv-00950-RSL Western District of Washington, Seattle available at [https://www.centerforfoodsafety.org/files/2020-07-22-ecf-28-order-denying-stay-and-consolidating-appeals\\_18565.pdf](https://www.centerforfoodsafety.org/files/2020-07-22-ecf-28-order-denying-stay-and-consolidating-appeals_18565.pdf); and affirmed on vacatur, Feb. 2021, available at: <https://www.courthousenews.com/wp-content/uploads/2021/02/9th-Circuit-Ruling.pdf>.

Bahls, P. 2004. Fish distribution and abundance in shallow intertidal habitat of Tarboo and N. Dabob Bays. Northwest Watershed Institute.

<http://www.nwwatershed.org/uploads/pdf/tarbooFishSurvey.pdf>

Daubenberger, H. et al. 2017. Mapping nearshore nodal habitats of juvenile salmonids within the Hood Canal and Admiralty Inlet. Port Gamble S’Klallam Tribe.

[http://blogs.nwifc.org/psp/files/2017/12/Mapping-Nearshore-Nodal-Habitat-of-Juvenile-Salmonids-within-Hood-Canal-and-Eastern-Strait-of-Juan-de-Fuca-2011-14\\_Final-Report-1.pdf](http://blogs.nwifc.org/psp/files/2017/12/Mapping-Nearshore-Nodal-Habitat-of-Juvenile-Salmonids-within-Hood-Canal-and-Eastern-Strait-of-Juan-de-Fuca-2011-14_Final-Report-1.pdf)

Gordon, H. et al. Bald eagles, oyster beds, and the Plainfin Midshipman: ecological intertidal relationships in Dabob Bay. Northwest Watershed Institute

<http://www.nwwatershed.org/uploads/pdf/Eagle-study-Oct-2018a.pdf>

Tuohy, A. et al. 2018 Hood Canal juvenile chum salmon nearshore habitat use assessment.

Wild Fish Conservancy.

[https://salishsearestoration.org/images/3/3c/Tuohy\\_et\\_al\\_2018\\_hood\\_canal\\_summer\\_chum\\_nearshore\\_use.pdf](https://salishsearestoration.org/images/3/3c/Tuohy_et_al_2018_hood_canal_summer_chum_nearshore_use.pdf)

WDFW Forage Fish Maps online

<https://www.arcgis.com/home/item.html?id=19b8f74e2d41470cbd80b1af8dedd6b3>