



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

PO Box 47600, Olympia, WA 98504-7600 • 360-407-6000

September 5, 2023

Jamestown S’Klallam Tribe
ATTN: Ron Allen
1033 Old Blyn Hwy
Sequim, WA 98382

Re: Coastal Zone Management Federal Consistency Decision for Sequim Bay Olympia Oyster Habitat Enhancement (Corps No. NWS-2023-0223), Sequim Bay, Sequim, Clallam County, Washington

Dear Ron Allen:

On June 7, 2023, the Department of Ecology (Ecology) received a Certification of Consistency with the Washington State Coastal Zone Management Program (CZMP) for the above project. Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with the Jamestown S’Klallam Tribe’s determination that the proposed work is consistent with Washington’s CZMP.

The purpose of this project is to enhance Olympia Oyster (*Ostrea lurida*) habitat in Sequim Bay by providing suitable substrate (i.e., clean shell) for Olympia oyster larvae that are naturally dispersing from the nearby extant population to settle on. This in turn improves ecosystem conditions for other marine species that migrate through or live, feed, and seek shelter in native shellfish beds. The Sequim Bay Olympia oyster population is 1 of 19 priority sites identified in the Washington Olympia Oyster Restoration Plan (2012). Monitoring for recruitment, survival, and growth will occur each summer during the life of the permit. No commercial harvesting of Olympia oyster is planned as part of this project.

The project area is intertidal and spans both state (Tribal Fee) and federal jurisdiction (Tribal Trust and Reservation). State jurisdiction is approximately 30.5 acres and federal jurisdiction is approximately 4.7 acres. The project site is primarily mudflats with some vegetation present (no kelp). Native eelgrass (*Zostera marina*) is mapped inside the project area, located at lower tidal elevations; substrate enhancement areas are located to avoid native eelgrass.

The proposal includes placing up to 500 cubic yards of certified clean oyster shell on 35.2 acres of Sequim Bay tideflats, between tidal elevations -1.0 and +5.0 feet (mean lower low water). Clean bagged, blank (no seed) Olympia oyster shell will be transported to the South end of Sequim Bay via small boat at high tide and attached to a temporary anchor. During the next daylight low tide, volunteers and staff will spread the shell onto the tidelands. New clean shell will be added in subsequent years as needed to maintain target density and replace shell that is moved by wave action out of the project area or sunk into the mud substrate.

Avoidance measures include careful placement of shell to avoid any increase of suspended sediments and turbidity, as well as careful sourcing of clean shell material (free from pathogens and invasive species). No shell will be placed within any freshwater channels (including Jimmycomelately and Dean Creek) and these channels shall not be restricted or manipulated. The project design minimizes impacts to eelgrass by including a 25-foot buffer between eelgrass and the areas in which shell is placed. Monitoring transects will be recorded using GPS. No permanent markers will be placed in the project area.

The project site is located on state and tribal tidelands within Sequim Bay, Jimmycomelately Creek, and Dean Creek; on parcel numbers 032912240000, 032912130000, 032912140240, 032912110080, and 032912110070; adjacent to 1033 Old Blyn Hwy, near Sequim, Clallam County, Washington; Section 12, Township 29 North, Range 3 West; WRIA 17, Quilcene-Snow Watershed.

If you have any questions regarding Ecology's decision, please contact Teressa Pucylowski at (360) 764-0546.

Your right to appeal

You have a right to appeal this decision to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal, you must do all of the following within 30 days of the date of receipt of this decision:

- File your notice of appeal and a copy of this decision with the PCHB (see filing information below). "Filing" means actual receipt by the PCHB during regular business hours as defined in WAC 371-08-305 and -335. "Notice of appeal" is defined in WAC 371-08-340.
- Serve a copy of your notice of appeal and this decision on the Department of Ecology mail, in person, or by email (see addresses below).

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

Filing an appeal

Filing with the PCHB

For the most current information regarding filing with the PCHB, visit: <https://elaho.wa.gov/> or call: 360-664-9160.

Service on Ecology

Street Addresses:

Department of Ecology
Attn: Appeals Processing Desk
300 Desmond Drive SE
Lacey, WA 98503

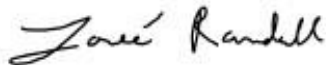
Mailing Addresses:

Department of Ecology
Attn: Appeals Processing Desk
PO Box 47608
Olympia, WA 98504-7608

E-Mail Address:

ecologyappeals@ecy.wa.gov

Sincerely,



Loree' Randall, Section Manager
Federal Permitting Section
Shorelands and Environmental Assistance Program

Sent via e-mail: rallen@jamestowntribe.org

E-cc: Rory Lee, U.S. Army Corps of Engineers
Matthew Bennett, U.S. Army Corps of Engineers
Teresa Pucylowski, Ecology
Robert Knapp, Jamestown S'Klallam Tribe
fedconsistency@ecy.wa.gov