



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

January 27, 2025

United States Department of Commerce
National Oceanic & Atmospheric Administration
ATTN: Emily Newman
Office of Response & Restoration
325 E. Gaines Street, Suite 100
Tallahassee, FL 32301

Re: Coastal Zone Management Federal Consistency Decision for NOAA Marine Debris Program (MDP) Grant - Derelict Crab Pots, Puget Sound, Washington

Dear Emily Newman:

On December 13, 2024, the National Oceanic & Atmospheric Administration (NOAA) submitted a Consistency Determination with the Washington State Coastal Zone Management Program (CZMP). Ecology issued a 21-day public notice on December 23, 2024, and received no comments.

NOAA is proposing to remove at least 200 derelict crab pots in a 6 km²-area of marine waters of the Maury Island Aquatic Reserve, located between Maury Island and Vashon Island in King County, Washington. The Maury Island Aquatic Reserve is managed by the Washington Department of Natural Resources (DNR) and is located within the Puyallup Tribe of Indians' usual and accustomed fishing grounds, serving as a valuable resource for subsistence, commercial, and recreational fisheries.

Three days of survey operations will be performed using sidescan sonar operating at 600 kHz with a differential global positioning system to identify derelict crab pot targets. Eight days of removal operations will be conducted by dive teams in waters less than 105 feet deep, and two days of removal operations will be conducted in deeper waters, utilizing remotely operated vehicle (ROV) capabilities of the Puyallup Tribal Police, for a total of 13 days of in-water work.

If a pot is more than half embedded in the substrate, a diver will cut away a section of the pot webbing to debilitate the pot's fishing capability and leave the pot in place to minimize disturbance of the seafloor. Surveys are anticipated to begin in January 2025, with removal

operations taking place February-May 2025. Recovered pots will be sorted and stored in a cargo container, and pots that have owner identification will be set aside and returned to the owner or Puyallup Tribal fisheries management. Remaining gear in usable condition will be donated throughout the community, and gear in poor condition will be transported to a recycling facility. This project has strong support from the Puyallup Tribe, DNR, Washington Department of Fish and Wildlife, and local community organizations.

Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with NOAA's determination that the proposed work is consistent with Washington's CZMP.

If you have any questions regarding Ecology's decision, please contact Teresa Pucylowski at teressa.pucylowski@ecy.wa.gov.

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 by 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.

Address and Location Information

Filing with the PCHB

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

Service on Ecology

Street Addresses:

Department of Ecology

NOAA Marine Debris Program (MDP) Grant - Derelict Crab Pots

Aquatics ID No. 145137

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

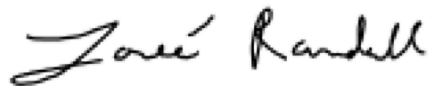
Mailing Addresses:

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

E-Mail Address:

ecologyappeals@ecy.wa.gov

Sincerely,

A handwritten signature in black ink that reads "Loree' Randall". The signature is written in a cursive, flowing style.

Loree' Randall, Section Manager
Aquatic Permitting & Protection Section
Shorelands and Environmental Assistance Program

Sent via e-mail: emily.d.newman@noaa.gov

E-cc: Teresa Pucylowski, Ecology
fedconsistency@ecy.wa.gov