

ENVIRONMENTAL CHECKLIST

Purpose of Checklist:

The State Environmental Policy Act (SEPA), Chapter 43.21 RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

Instructions for Applicants:

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring the preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the question from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply". Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe the your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or to provide additional information reasonably related to determining if there may be significant adverse impact.

Use of checklist for nonproject proposals:

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (Part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

A. BACKGROUND

1. Name of proposed project, if applicable:
Nisqually Reach Aquatic Reserve Management Plan and Designation of the Nisqually Reach Aquatic Reserve.
2. Name of applicant:
Washington State Department of Natural Resources
3. Address and phone number of applicant and contact person:
Kyle Murphy, Aquatic Resources Program, 1111 Washington St SE, P.O. Box 47027, Olympia, WA 98504-47027. (360) 902-1073.
4. Date checklist prepared:
April 13, 2011
5. Agency requesting checklist:
Washington State Department of Natural Resources

6. Proposed timing or schedule (including phasing, if applicable):

The proposed non-project action is to approve the management plan for the Nisqually Reach Aquatic Reserve, and designate the site as an aquatic reserve, after consideration of public comments. Timing for these two decisions is proposed for July 2011. This is part of a phased process. The prior phase was DNR adoption of the Aquatic Reserve Implementation and Design Guidance document in 2005. During this phase, DNR adopted guidance for establishing aquatic reserves and for managing aquatic reserves through site-specific management plans. DNR conducted SEPA analysis on the guidance and policies in 2002 as part of the Non-project Final Environmental Impact Statement for the Aquatic Reserves Program and final guidance was adopted in 2005. This proposed management plan has been developed pursuant to that guidance.

Future phases related to this proposal would occur as the plan is updated every 10 years, and as project actions are implemented over the next 90 years. SEPA analysis for plan updates and site-specific project actions would be conducted as required and appropriate.

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

None, other than as stated in response to question #6.

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

- Nisqually Reach Nature Center. 2007. Site Proposal Application. Including current site conditions, risks to the ecosystem, restoration potential, species diversity and biodiversity value, ecological processes, cultural qualities, habitats and features, and conservation targets.
- Department of Natural Resources. 2002. Non-Project Final Environmental Impact Statement Aquatic Reserves Program Guidance. Olympia, WA.
- Bloch, P. and D. Palazzi. 2005. Aquatic Reserve Program Implementation and Design Guidance. Olympia, WA. Aquatic Reserves Program, Washington State Department of Natural Resources.

In addition to the above information, the proposed Management Plan was developed using numerous studies. Please refer to the References section of the proposed Nisqually Reach Aquatic Reserve Management Plan.

The listed documents are available for review at 1111 Washington St SE., Olympia, WA. 98584, Department of Natural Resources, Aquatic Resources Division, Natural Resources Building, 3rd Floor, from 8:00 am to 4:00 pm, Monday through Friday.

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

Yes. There is a private proposal for a use authorization to install three mooring buoys on state-owned aquatic land located off of the eastern side of Anderson Island near Cole Point. It will be reviewed pending completion of this SEPA process (Corps Reference NWS-2010-1169, F&M Development).

10. List any government approvals or permits that will be needed for your proposal, if known.

None.

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agency may modify this form to include additional specific information on project description.)

The proposal is for the adoption of the Nisqually Reach Aquatic Reserve Management Plan, and the designation of the site as an environmental, scientific, and educational aquatic reserve. The Nisqually

Nisqually Reach Aquatic Reserve Management Plan will be used as DNR's primary guiding document for the management of existing and proposed uses of state-owned aquatic lands within and adjacent to the Nisqually Reach Aquatic Reserve. The management plan includes site-specific management actions for protection, restoration and enhancement, research and monitoring, and education and outreach. The Nisqually Reach Aquatic Reserve is designed to conserve (preserve, restore, and/or enhance) the aquatic habitats and species that make the site unique. The goals of the Reserve are formulated to conserve the site's natural aquatic communities, habitats, ecosystems, and processes, and the ecological services, uses and values they provide to current and future generations. The proposed management actions are focused on preventing impacts to fish and wildlife species and habitats from new and expanded uses on state-owned aquatic lands, encouraging voluntary actions towards reducing impacts associated with existing uses and activities, and encouraging voluntary and cooperative projects to protect, restore, and enhance ecological processes. Proposed management actions are found in Chapter 5 (page 58) of the proposed Nisqually Reach Aquatic Reserve Management Plan. Some actions, with an on-the-ground component, that could result in the long-term are: collect data and monitor the site; post education signs; remove creosote pilings and abandoned cable; continue removing derelict gear and vessels; control invasive species through integrated pest management; and restore areas degraded by hard shoreline armoring. DNR will approve new proposals for restoration projects within the reserve when those proposals are determined to be consistent with the management goals and objectives of the reserve and support efforts to connect management activities with other existing restoration projects and plans for the area. Some uses that could be restricted or prohibited in the proposed reserve are: commercial aquaculture that degrades conservation targets and biodiversity; tidal energy facilities that disrupt the unique oceanographic conditions of the site; deep-water port, marinas, other bedland disturbances; and wind energy.

DNR does not have authority to control upland activities, shipping and navigation, recreational shellfish or finfish harvest, and certain other activities that may affect aquatic habitat and species targeted for conservation. For activities and uses that may affect the reserve but which DNR does not control, such as upland recreation, land use, and other examples, the plan proposes that DNR coordinate with other resource agencies in order to promote actions that will conserve aquatic habitats at the reserve.

12. Location of proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographical map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any applications related to this checklist.

The boundary of the reserve is delineated by a line running northeasterly from the northwestern shoreline boundary of Tolmie State Park to the outer boundary of the WDFW managed tidelands on the southwestern shoreline of McNeil Island. From this point the boundary follows a line eastward, connecting to a line running southeastward to the Fort Lewis shoreline south of the town of Steilacoom. The boundary then follows that shoreline southward (through Cormorant Passage) to the outer boundary of the Nisqually National Wildlife Refuge. The Reserve boundary parallels the Nisqually National Wildlife Refuge boundary westward, paralleling the Thurston County shoreline, and then back to the southeastern shoreline boundary of Tolmie State Park. The entire shorelines of both Anderson and Ketron Islands are encompassed within the boundaries of the Reserve.

Refer to the Nisqually Reach Aquatic Reserve Management Plan for a map and Appendix C of the Plan for the legal description of the proposed aquatic reserve.

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountains, other _____.

The site is an area of open saltwater in south Puget Sound, Washington. The Nisqually Reach Aquatic Reserve includes approximately 38.95 miles of tidally influenced marine shorelines (Table 1 in the proposed Nisqually Reach Aquatic Reserve Management Plan) and encompasses approximately 14,826 acres of state-owned DNR managed tidelands and bedlands.

- b. What is the steepest slope on the site (approximate percent slope)?

Not applicable; the entire site is within the intertidal and subtidal zone of Puget Sound.

- c. What general types of soils (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

The substrate is primarily glacial in origin throughout most of the reserve area and varies from compacted clays/hardpan, cobble, mixed gravels and sand, silt to muddy, soft-bottom substrates. Intertidal sands and mud flats in the Nisqually Reach are prominent, as well as in subtidal areas in the vicinity of the Nisqually delta which include fluvial deposits from the Nisqually River.

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

The delta was built from fluvial sediments deposited at the coastline, creating the broad and low-lying, marine extension of the alluvial floodplains. Presently, with the removal of the outer dike at the Nisqually National Wildlife Refuge, the extensive sand and mud flats are in continual transition. The recent removal of the outer dike at the Nisqually National Wildlife Refuge is dramatically transforming the regime and structure of the delta by altering water and nutrient flow dynamics and changing the distribution of vegetated marsh lands and tidal flats throughout the region. The reintroduction of tidal flow and energy to the flats area continues to redistribute finer sediments, as well as, variable sizes of floating vegetation mats throughout the area. In terms of subtidal surface sediment stability, the USGS found evidence of ancient submerged sediment slides off the delta front. However, there was no evidence of recent submerged sediment slides as a result of the 2001, 6.8 earthquake.

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

N/A – The Nisqually Reach Aquatic Reserve Management Plan does not include proposals that would fill or grade state-owned aquatic land within the reserve boundaries.

- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.

This proposal creates a process that would address projects on an individual basis to ensure they are consistent with DNR's management authority and the goals and objectives set forward in the Nisqually Reach Aquatic Reserve Management Plan. Any proposal within the reserve area may be reviewed by the Nisqually Reach Aquatic Reserve Implementation Committee and by DNR. All proposals need to be reviewed in the context of meeting the goals and objectives of the Nisqually Reach Aquatic Reserve and no net loss to ecosystem goods and services at the scale of a shoreline process unit and shore form. Best available science must be applied. Approved projects may result in minimal levels of erosion, only if the net benefits for a project exceed any temporary and localized impact site-specific erosion may cause. For example, planting of eelgrass transplants may result in temporary, localized turbidity.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?

N/A – The proposed Nisqually Reach Aquatic Reserve Management Plan does not include or anticipate proposals that would create impervious surface over state-owned aquatic land within the reserve boundaries.

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:

DNR will forward new and renewal use authorization proposals, private or otherwise, pertaining to the state-owned aquatic lands within the Nisqually Reach Aquatic Reserve to the Implementation Committee for review and comment. Only those use authorization proposals that DNR determines are consistent with the Nisqually Reach Aquatic Reserve Management Plan will be forwarded to the committee. The Implementation Committee will evaluate how well each proposal meets the Nisqually Reach Aquatic Reserve Management Plan goals, objectives, and management actions.

Each proposal should adhere to the proposal guidelines as described in this plan's Management Actions. Use authorizations must not result in degradation to the conservation targets listed previously in this plan, or degradation of ecosystem goods and services, including biodiversity at the scale of a shoreline process unit and shore form (defined by the Puget Sound Nearshore Ecosystem Restoration Project as the unit of shoreline associated with a mapped shoreline drift cell and its associated coastal watershed). Pursuant with WAC 332-30-151, DNR will retain management authority of the Nisqually Reach Aquatic Reserve and will in consultation with the Implementation Committee, region staff and other agencies make determinations about the consistency of any proposed uses and will work with proponents when possible. Implementation Committee comments will be received and taken into consideration by DNR as part of the critical review of all use authorization applications.

Proposed measures to control impacts to erosion will be based upon the system described above, and will be project/site specific.

Agency analysis: If implemented, this plan could have minor, short term turbidity and erosion impacts in the aquatic environment from plan-recommended actions.

2. Air

- a. What types of emissions to the air would result from this proposal (i.e. dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

This proposal would not directly cause any emissions, although approved construction projects may involve the use of diesel engines during the construction phase.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.

Vessel traffic may be increasing in some areas surrounding and within the project boundaries. The project boundary is located near the southernmost Port in South Sound (Olympia). According to the 2010 Vessel Entry and Transit (VEAT) report, cargo and passenger traffic (300 tons and larger) to Puget Sound Ports only has been cyclical since 1996, generally declining from a high of 3,056 in 1996 to a low of 2,070 in 2010 (decrease of 86 vessels). Tanker traffic to Puget Sound Ports only, which includes oil and LNG traffic, has shown a slight increase, by 39 vessels in 14 years (1996 – 2010). At this time, the VEAT reports do not present information at a level which can help determine how many of these ships are bound for the Port of Olympia.

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:

None.

3. Water

a. Surface:

1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.

The Nisqually Reach Aquatic Reserve is located in the southern part of the estuarine water body known as the Puget Sound ("South Puget Sound"). In the southeastern reach of South Puget Sound, the confluence of the Nisqually River and the Nisqually Reach create the Nisqually River Delta. Because of its regional and national significance, the Nisqually River Delta has been designated as a National Natural Landmark (See Deltaic Processes, and River Delta Habitat in the Nisqually Reach Aquatic Reserve Management Plan). The southern boundary of the aquatic reserve adjoins the Nisqually delta @ Extreme Low Water.

There are a few other smaller surface water bodies that flow into the Aquatic Reserve area from the "mainland" area adjacent to the Reserve. They include Sequelitchew, Red Salmon, and McAllister Creeks. On the eastern side of Anderson Island, Lake Florence and Lake Josephine drain to the southeast forming a small perennial stream that flows into the eastern portion of South Puget Sound. Several small "nameless" and intermittent creeks drain into small brackish lagoons and embayments throughout the area.

2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

The proposed Nisqually Reach Aquatic Reserve Management Plan includes proposed management actions to be implemented within the nearshore and marine environment. These proposed management actions are targets to achieve the desired future conditions at the site. When the proposed management actions develop into site-specific proposals, they could be subject to a separate SEPA review. It may not be necessary for minor restoration projects to go through a separate SEPA process. Management actions are found in Chapter 5 of the Nisqually Reach Aquatic Reserve Management Plan. Examples are listed in A.11 of the checklist.

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of the fill material.

DNR may authorize new uses, unforeseen or not listed in the management plan, only if the use is consistent with the desired future conditions of the Nisqually Reach Aquatic Reserve, the Goals and Objectives, Management Actions and does not have adverse effects to ecosystem goods and services within the Reserve. DNR will perform a critical review of all proposals pursuant to WAC 332-30-151 and take the Implementation Committee's formal comments on proposed use authorizations into advisement. Proposals that involve fill will be considered on a case-by-case basis, and may require a separate SEPA review. Examples are listed in A.11 of the checklist.

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.

No.

5) Does the proposal lie within a 100 year floodplain? If so, note location on the site plan.

No.

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No.

b. Ground:

1) Will groundwater be withdrawn, or will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known.

No.

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals . . . ; agricultural; etc.). Describe the general size of the system, the number such systems, the number of houses to be served (if applicable), or the number animals or humans the system(s) are expected to serve.

N/A – There is no discharge of waste material associated with this proposal.

c. Water Runoff (including storm water):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities if known). Where will this water flow? Will this water flow into other waters? If so, describe.

A large number of municipal outfalls are located within the reserve boundaries, including a CSO, a DOT managed outfall, and outfalls managed by Fort Lewis at Solo Point (Figure B-3 Appendix B in the proposed Nisqually Reach Aquatic Reserve Management Plan). Management actions have been developed to identify and minimize existing and potential future impacts on the nearshore environment resulting from existing outfalls and runoff discharging to the reserve. This includes supporting local efforts to manage and treat stormwater, sewage, and gray water discharging to the reserve.

2) Could waste material enter ground or surface waters? If so, generally describe.

That possibility exists with many existing outfalls.

d. Proposed measures to reduce or control surface, ground, and runoff water impacts, if any:

DNR does not have the authority to prohibit the discharge from existing authorized outfalls. DNR can request additional re-authorization requirements during the authorization renewal process. Proposed management actions are found in Chapter 5 of the Nisqually Reach Aquatic Reserve Management Plan that describes measures to protect water quality. Examples are listed in A.11 of the checklist.

Pierce County is currently updating its Phase I Municipal Stormwater Permit and Thurston County is currently implementing its Phase II Municipal Stormwater Permit. Stormwater outfalls are covered under the previous Municipal permit requirements while permits are updated.

Future residential upland development is likely to occur along the Nisqually Reach shoreline which may result in additional permitted outfalls. Outfalls may pose a threat to the Nisqually Reach Aquatic Reserves nearshore environment and water quality. DNR should monitor new outfalls closely as they are built, and older ones as they are re-permitted, working with municipalities, DOE, Joint Base Lewis-McChord and the Department of Transportation.

4. Plants

a. Check or circle types of vegetation found on the site:

deciduous tree: alder, maple, aspen, other

evergreen tree: fir, cedar, pine, other

shrubs

grass

- pasture
- crop or grain
- wet soil plants: cattail, buttercup, bulrush, skunk cabbage, other
- wet soil plants: **Emergent salt marsh vegetation**
- Submerged marine aquatic vegetation: Includes eelgrass, kelps and other macroalgae**
- other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

No native vegetation would be removed as a result of this proposal. The Plan recommends restoration and enhancement of nearshore habitats, which could remove any invasive or noxious non-native vegetation species. Should the plan be approved, a restoration plan would be required for any proposed restoration project and the restoration plan would undergo a separate project-level SEPA review. Minor restoration and enhancement projects such as the removal of the creosote pilings or the removal of non-native vegetation may not require a separate SEPA action.

Chapter 5 (Management Actions) of the Nisqually Reach Aquatic Reserve Management Plan includes more information on restoration and enhancement of nearshore habitats.

c. List threatened or endangered species known to be on or near the site.

According to the Washington Natural Heritage Program there have been no listed plant species identified within the aquatic reserve boundary. Please see Appendix A of the Nisqually Reach Aquatic Reserve Management Plan for a list of plant, and animal, species That have been observed within the Aquatic reserve boundary.

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any:

Proposed resource enhancement and restoration management actions will develop into site-specific proposals that may use native plants or other measures to preserve or enhance vegetation and could be subject to a separate SEPA review. It may not be necessary for minor restoration projects to go through a separate SEPA process. Proposed management actions are found in Chapter 5 of the Nisqually Reach Aquatic Reserve Management Plan. Examples are listed in A.11 of the checklist

5. Animals

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

The Nisqually Reach Aquatic Reserve is located adjacent to one of Audubon's "Best Places to Bird" in the South Sound, with the Nisqually National Wildlife Refuge recording over 175 species with approximately 75 species within the Nisqually Delta (Audubon 2011). Many of these species are marine dependent, and use intertidal and subtidal habitats within the reserve boundary (See Bird spp. list, Appendix A in the proposed Nisqually Reach Aquatic Reserve Management Plan).

birds: hawk, heron, eagle, songbirds, other: *American Coot, American Kestrel, American White Pelican, Bald Eagle, Black Scoter, Brandt's Comorant, Caspian Tern, Common Loon, Common Murre, Dunlin, Eurasion Widgeon, Greater Scaup, Herring Gull, Hooded Merganser, Long-Tailed Duck, Marbled Murrelet, Northern Pintail, Pacific Loon, Pied-billed Grebe, Purple Martin, Red-necked Grebe, Surf Scoter, White-winged Scoter.* For full list, please see *Appendix A.*

mammals: deer, bear, elk beaver, other: *California Sea Lion, Dall's Porpoise, Gray Whale, Harbor Porpoise, Harbor Seal, Killer Whale, Minke Whale, Stellar Sea Lion, Pacific Harbor Seal.* For full list, please see *Appendix A.*

fish: bass, salmon, trout, herring, shellfish, other: *American Shad*, *Bay Pipefish*, *Big Skate*, *Brown Rockfish*, *bull Trout*, *Cabezon*, *Chinook Salmon*, *Chum Salmon*, *Coastal Cutthroat*, *Coho Salmon*, *Copper Rockfish*, *Dover Sole*, *Lingcod*, *Northern Anchovy*, *Pacific Herring*, *Pacific Lamprey*, *Pacific Sand Lance*, *Pacific Staghorn Sculpin*, *Pile Perch*, *Pink Salmon*, *Puget Sound Rockfish*, *Quillback Rockfish*, *Redstripe Rockfish*, *Saddleback Gunnel*, *Sand Sole*, *Shiner Perch*, *Sixgill Shark*, *Smelt*, *Sockeye*, *Starry Flounder*, *Surf Smelt*, *Three Spine Stickleback*, *Tube Snout*, *Walleye Pollock*, *White Sturgeon*. For full list, please see Appendix A.

b. List any threatened or endangered species known to be on or near the site.

Common and Red-throated Loons are observed in the waters of Nisqually Reach in the winter months but not with great frequency. The Common Loon is considered a Washington State candidate threatened species; WDFW has stated that the protection of the forage base and water quality is essential for the Common Loon's recovery, as it is a species that requires a healthy fish population on which to feed. Other than fish, loons occasionally take other foods including crustaceans, mollusks, and insects (WDFW 2004). The Yellow-billed Loon, listed as a Bird of Conservation Concern, is an accidental migrant to this area (USFWS 2008). Marbled Murrelets (*Brachyramphus marmoratus*) have been documented in parts of the area, theoretically using the Nisqually River as a corridor between potential nesting grounds at Mount Rainer National Park and foraging waters of southern Puget Sound.

Salmonids are abundant in the Nisqually River Basin with six species of Pacific salmon present, listed in order of abundance from top to bottom:

- Chum salmon (*Oncorhynchus keta*)
- Coho salmon (*O. kisutch*)
- Pink salmon (*O. gorbuscha*)
- Steelhead (*O. nerka*)
- Chinook (*O. tshawytscha*)
- Cutthroat (*O. clarki clarki*)

Orcas from the Eastern North Pacific Southern Resident stock (Southern Resident killer whales), are normally sighted in late fall/early winter following fall chum salmon runs into South Sound from the Tacoma Narrows (Figure B-15, Appendix B in the proposed Nisqually Reach Aquatic Reserve Management Plan). NOAA Fisheries reports that between 1990 and 2005, orca sightings south of McNeil Island have been less than 25. Historically, (Palo 1972) reports in the 1960s and 1970s documented killer whales visiting the South Sound annually, traveling through Colvos Passage and surrounding McNeil Island to feed on salmon and herring. The National Marine Fisheries Service, NOAA, is in the process of determining historical population size as part of the Recovery Program for the orca (NOAA 2008). Other mammals documented within the boundaries include the False Killer Whale (rare sighting) and the Stellar Sea Lion (threatened).

Common Name	Scientific Name	Federal Status	State Status	Critical Habitat
Bald Eagle	<i>Haliaeetus leucocephalus</i>	De-listed	Threatened	No
Peregrine Falcon	<i>Falco peregrinus</i>	Species of Concern	State Sensitive	No
Purple Martin	<i>Dryocopus pileatus</i>	None	Candidate	No
Puget Sound/ Strait of Georgia coho salmon	<i>Oncorhynchus kisutch</i>	Species of Concern	None	No
Puget Sound Chinook salmon	<i>Oncorhynchus tshawytscha</i>	Threatened	Candidate	Yes

Puget Sound steelhead	<i>Oncorhynchus mykiss</i>	Threatened	None	No
Coastal/Puget Sound bull trout	<i>Salvelinus confluentus</i>	Threatened	Candidate	Yes
Coastal cutthroat trout	<i>Oncorhynchus clarki clarki</i>	Species of Concern	None	No
Westslope cutthroat trout	<i>Oncorhynchus clarki lewisii</i>	Species of Concern	None	No
Southern Resident Population killer whale	<i>Orcinus orca</i>	Endangered	Endangered	Proposed
Steller sea lion	<i>Eumotopias jubatus</i>	Threatened	Threatened	No

c. Is the site part of a migration route? If so, explain.

The Nisqually delta is of major significance as a migratory stop-over along the Pacific flyway. Waterbirds migrating in the Pacific flyway begin arriving on the Nisqually delta in late September, with many remaining through the winter. While some birds may use the area only for short periods of time during migration, they are dependent upon this vicinity for its safe resting areas and rich foraging and refuge. The Audubon Society also reports that the extensive Nisqually estuary as well as the locally scattered pocket estuaries are resting and feeding habitats for shorebirds and other waterbirds. The area within the aquatic reserve boundaries appears to be particularly important to several species of conservation concern. The significant amount of high bluffs provides prime nesting habitat for Pigeon Guillemots (*Cephus columba*) (Figure B-9, Appendix B of the proposed Nisqually Reach Aquatic Reserve Management Plan). Surf Scoters (*Melanitta perspicillata*) are common to the area, perhaps due to the abundant food sources such as Pacific herring (*Clupea pallasii*) and surf smelt. A few other notable seabirds using the Aquatic Reserve area include Long-tailed Duck (*Clangula hyemalis*), Rhinoceros Auklets (*Cerorhinca monocerata*), and Common Murre (*Uria aalge*) (Figure B-10, B-11, Appendix B of the proposed Nisqually Reach Aquatic Reserve Management Plan) (Audubon 2011).

d. Proposed measures to preserve or enhance wildlife, if any:

The overall purpose of the proposed Nisqually Reach Aquatic Reserve Management Plan is to provide for the conservation and restoration of aquatic ecosystems and the associated fish and wildlife that rely upon those ecosystems.

The Plan proposes numerous measures to protect, conserve, and enhance plant and animal species through habitat conservation measures. These actions are focused on preventing impacts to wildlife and their associated habitat from new and expanded uses on state-owned aquatic lands, encouraging voluntary projects to protect, restore, and enhance ecological processes. Under the plan, the DNR will limit new uses in the reserve to those that are consistent with the long-term goals and objectives of the Nisqually Reach Aquatic Reserve. New and existing activities authorized on state-owned aquatic lands within or adjacent to the reserve must implement actions that are consistent with the objectives of the reserve designation in support of the desired future conditions described in Chapter Four of the management plan.

DNR does not have the regulatory authority over upland activities, shellfish harvest on private bedlands lands, and certain other activities that may affect wildlife and aquatic habitat within the Reserve. For such activities, the plan proposes that DNR coordinate with other resource agencies to encourage conservation of fish, wildlife and associated aquatic habitat as they develop agency plans or proposals, and regulate private proposals. In such cases, other entities will be the lead for SEPA. Please refer to Chapter 5 of the management plan for specific recommendations for actions.

All mammals are protected under the Marine Mammal Protection Act, whether threatened, endangered or not. The Marine Mammal Protection Act prohibits any person, vessel, or conveyance subject to the jurisdiction of the United States to take any marine mammal on the high seas or in United States jurisdictional waters.

All migratory birds are protected under the Migratory Bird Treaty Act, whether threatened, endangered or not. The treaty makes it unlawful to "pursue, hunt, take, capture, kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to purchase, purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry, or cause to be carried by any means whatever, receive for shipment, transportation or carriage, or export, at any time, or in any manner, any migratory bird

6. Energy and Natural Resources

- a. What kinds of energy (electrical, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

There are no energy requirements with this project.

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No.

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any:

None.

7. Environmental Health

- a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe.

No environmental health hazards are associated with this proposal.

- 1) Describe any emergency services that might be required.

No emergency services will be required as part of this proposal.

- 2) Propose measures to reduce or control environmental health hazards, if any:

Not applicable; none.

- b. Noise

- 1) What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?

The boundaries of the Nisqually Reach Aquatic Reserve include waters which are used by a variety of commercial (e.g. cargo ships) and recreational marine traffic (see SEPA Question 2b and Sections II and III in the Nisqually Reach Aquatic Reserve Management Plan). At current levels, noise created by

marine traffic uses is not inconsistent with the Goals and Objectives of the Management Plan. Existing information does not indicate a trend of increasing marine traffic, so we do not anticipate future noise levels will be noticeably different from the present. The BNSF railway line parallels the reserve boundary for approximately 6.5 miles. Current train traffic noise or expected future traffic noise, as a result of the funds received by the Dept of Transportation to improve rail service along Amtrak's Cascades rail corridor, are not inconsistent with the Goals and Objectives of the Management Plan.

2) What types and levels of noise would be created by or associated with the project on a short-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site.

Temporary noise associated with approved projects may be created on a case by case basis.

3) Proposed measures to reduce or control noise impacts, if any:

None.

8. Land and Shoreline Use

a. What is the current use of the site and adjacent properties?

Numerous private tideland parcels exist adjacent to the aquatic reserve. The private tideland parcels are interspersed with publicly owned tidelands creating a patchwork of tideland ownership throughout the reserve area. The total acreage of private and public tideland parcels adjacent to the reserve is approximately 2496 acres (See Chapter 2, Section VI – Nisqually Reach Area Ownership). Uses within and/or adjacent to the reserve include but are not limited to:

- cable crossings, pipelines and outfalls,
- shipping and train traffic,
- dredged material management,
- gravel mining,
- wildstock geoduck harvest,
- aquaculture,
- recreational shellfish harvesting and fishing,
- private residential uses, recreational uses, marinas,
- military ownership, and
- shoreline modification.

b. Has the site been used for agriculture? **No.** If so, describe.
N/A

c. Describe any structures on the site.

Structures that are currently on state-owned aquatic land and have a use authorization or are pending a use authorization are listed in Appendix C – Legal Description of Nisqually Reach Aquatic Reserve, in the “Subject To” section. In general, structures include submarine cable crossings, numerous outfalls, various overwater structures, existing ferry landing, four private marinas, barge loading dock and associated mooring buoy.

Other uses include the withdrawal of state aquatic lands granted to the State Parks and Recreation Commission, proposed clam cultivation (pending), proposed ferry dock (pending) and proposed lease by Washington State Parks for the tidelands surrounding Eagle Island (pending).

d. Will any structures be demolished? if so, what?

There may be site-specific restoration projects to remove bank armoring. There may also be site-

specific restoration projects that will remove creosote pilings or derelict gear or derelict vessels. Site-specific SEPA will be completed on such actions.

- e. What is the current zoning classification of the site?

The majority of the reserve is designated as Aquatic Environment. Aquatic Environments, relative to the aquatic reserve, include all marine areas seaward of the ordinary high water mark and are subject to the environmental management policies of the local municipalities' shoreline management plans. (See Chapter 2, Section V – Relationship to Federal, State, Local and Tribal Management).

- f. What is the current comprehensive plan designation of the site?

Uplands adjacent to shoreline range from rural, conservancy, Low Intensity to Special Management Units. There are a variety of uses and designations throughout the cities and counties in this area, dependent upon the upland use.

- g. If applicable, what is the current shoreline master program designation of the site?

The majority of the shoreline adjacent to the Aquatic Reserve is classified as Shorelines of Statewide Significance – as defined under RCW 90.58.030 (2)(f). Section (ii) contains the following (in part):

(f) "Shorelines of statewide significance" means the following shorelines of the state:

(i) The area between the ordinary high water mark and the western boundary of the state from Cape Disappointment on the south to Cape Flattery on the north, including harbors, bays, estuaries, and inlets;

(ii) Those areas of Puget Sound and adjacent salt waters and the Strait of Juan de Fuca between the ordinary high water mark and the line of extreme low tide as follows:

(A) Nisqually Delta -- from DeWolf Bight to Tatsolo Point,

A majority of the local municipalities have chosen "aquatic" or "conservancy" environmental designations for the shoreline along the boundary.

The 1974 Pierce County Shoreline Master Plan, currently being updated, designates Pierce County shorelines, including Anderson and Ketron Islands and excepting out the Cities of Dupont and Steilacoom, as primarily Conservancy. There is a small rural area in the Southeastern portion of Anderson Island. Pierce County is working to update its SMP. The City of DuPont is also updating its Master Program, which is currently operating under 1975 guidelines. Until the final draft SMP is approved by Washington Department of Ecology, the current SMP and associated amendments (including the designation of Tatsolo Point) remain in effect. Please see the DuPoint City website for further updates and information.

The 1990 Thurston County Shoreline Master Plan is a regional document, adopted in 1976, updated in 1984 and 1990, and covering seven jurisdictions (Lacey, Olympia, Tumwater, Thurston County, Bucoda, Tenino, and Yelm). All jurisdictions are now separately updating their SMPs. The plan, until separate SMPs are approved by Ecology, remains in effect.

Under this plan, Lacey and Thurston County SMP designations are present at the proposed location. The designations as of 1990 are conservancy, rural and natural. The Nisqually Flats is considered natural. The Thurston County shoreline from Luhr Beach to Tolmie State Park is rural. A portion of Nisqually Reach and Tolmie State Park, including Baird Cove, is Conservancy. These may be subject to change, as Thurston County and the City of Lacey update their SMPs.

Federal - Fort Lewis shorelines are generally undeveloped with the exception of a small recreational access site at Solo Point and a sewage treatment plant outfall (Figure B-16, Appendix B). Tidelands are

publicly owned along Fort Lewis shorelines but access to the public is restricted or requires permission to prevent interruption of military training exercises.

- h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

Yes. Within the City of DuPont, the Tatsolo Point Special Management Unit designation applies to a 750-foot length of shoreline with the purpose of ensuring that shoreline resources and the Shoreline of Statewide Significance, (associated with the Nisqually Delta) are protected. This includes subtidal lands that are under DNR management.

A number of habitats within the boundaries of the Nisqually Reach Aquatic Reserve are protected under local ordinances and state regulations. Kelp and eelgrass beds are designated and protected as fish and wildlife habitat conservation areas.

Much of this area is designated as critical saltwater habitat, consisting of embayment habitat, eelgrass beds, fish spawning habitat and feeder bluffs

Three other recognized marine protected areas are located near or within the reserve boundaries (Table 2, page 17, proposed Nisqually Reach Aquatic Reserve Management Plan):

- U.S. Fish and Wildlife Service Nisqually National Wildlife Refuge (adjacent),
- Washington State Parks and Recreation Commission Tolmie State Park, Underwater Park (within boundaries)
- Washington State Parks and Recreation Commission McNeil Island Wildlife Area (adjacent)

Pierce County's Shoreline Characterization (2007) identified eelgrass beds adjacent to or within the boundaries at the east shore of Anderson Island, around Otso Point, and scattered near the mouth of Oro Bay and East Oro Bay; the western half of McNeil Island along Pitt and Balch Passages; and adjacent to the Nisqually Delta. Pierce County (same reference) states that in the shallower inlets further south, floating kelp is either very rare or not present, while understory kelp (primarily *Laminaria* spp.) occurs sporadically (referencing DNR Nearshore Habitat Program, 2001).

- i. Approximately how many people would reside or work in the completed project?

None

- j. Approximately how many people would the completed project displace?

None

- k. Proposed measures to avoid or reduce displacement impacts, if any:

There will be no displacement as part of this disposal

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

The proposed Nisqually Reach Aquatic Reserve Management Plan has gone through a rigorous planning and development process that included a wide variety of stakeholders including local, state, federal, and Tribal governments, local landowners, non-profits, and the public. Plan development has included public meetings and every effort was made to incorporate comments from stakeholders and the public. The boundary of the proposed Nisqually Reach Aquatic Reserve was altered to surround Anderson and Ketron Islands after receiving input from island residents and stakeholders. In addition, the development of the management plan was informed by the Planning Advisory Committee, made up of stakeholders and the public. The plan is in large part a reflection of the guidance and advice provided to DNR by the Planning Advisory Committee.

Thurston County is in Phase 3 of their Shoreline Master Program update, and has preliminarily designated two classifications for the shorelines adjacent to the Nisqually Reach Aquatic Reserve in

Thurston County: Natural or Rural Conservancy. Pierce Counties shoreline environmental designations proposed for Anderson and Ketron islands involves a mix of Natural and Conservancy, with focused areas for Low Intensity and selected sites targeted for High Intensity Maritime. Within unincorporated Pierce County, there is a small section located within the Nisqually Delta (and includes a portion of the Nisqually Wildlife Refuge) which has been proposed for a Conservancy Shoreline Environment designation. The proposed Thurston and Pierce County shoreline designations are not inconsistent with the proposed Nisqually Reach Aquatic Reserve Management Plan. The proposed Nisqually Reach Aquatic Reserve Management Plan will compliment the Shoreline Master Program updates.

9. Housing

- a. Approximately how many units would be provided, if any? Indicate whether high, middle or low-income housing.

None.

- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.

None.

- c. Proposed measures to reduce or control housing impacts, if any:

None.

10. Aesthetics

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?

The project is not proposing or encouraging any new structures.

- b. What views in the immediate vicinity would be altered or obstructed?

Not applicable.

- c. Proposed measures to reduce or control aesthetic impacts, if any:

Not applicable.

11. Light and Glare

- a. What kind of light or glare will the proposal produce? What time of day would it mainly occur?

The proposal will not produce light or glare.

- b. Could light or glare from the finished project be a safety hazard or interfere with views?

The proposal will not produce light or glare.

- c. What existing off-site sources of light or glare may affect your proposal?

Research (Tabor et al 2004) suggests that artificial light under or near structures may alter the behavior of fish and amphibians (DNR 2010). Artificial lighting associated with existing or proposed uses within or adjacent to the reserve may therefore affect the behavior of species proposed as conservation targets in this reserve. Nighttime attraction to artificial lighting by certain fish species, including salmon, and congregation of salmon predators, is of particular concern.

- d. Proposed measures to reduce or control light and glare impacts, if any:

None.

12. Recreation

- a. What designated and informal recreation opportunities are in the immediate vicinity?

General opportunities in the South Sound area include public access, wildlife viewing, boating, fishing, scuba diving, bird watching, swimming and environmental education opportunities. Whale watching is an occasional opportunity. Locations for these opportunities are described below.

Washington State Parks manages two state parks adjacent to the aquatic reserve, Tolmie State Park, which delineates the westernmost boundary of the reserve, and Eagle Island State Park, in Balch passage, near the northern boundary of the reserve. Tolmie State Park is a 105-acre marine day-use park with 1,800 feet of saltwater shoreline. This shore side park is on the southwest boundary of the Aquatic Reserve. The park offers a variety of beachside and aquatic activities including an underwater park built by scuba divers. Eagle Island is a 10-acre marine park with 2,600 feet of saltwater shoreline. The island is located in Balch Passage between McNeil Island and Anderson Island in South Puget Sound. Two adjacent properties are Wildlife Area Units managed by WDFW, as part of the South Puget Sound Wildlife Area (WDFW 2006). The South Puget Sound Wildlife Area Complex is made up of multiple parcels of land owned and maintained by WDFW, including properties on McNeil Island and surrounding the Nisqually National Wildlife Refuge.

In Thurston County, the reserve is situated adjacent to the mouth of the Nisqually River Delta, in which boat access is available at a WDFW boat launch at Luhr Beach, next to the Nisqually Reach Nature Center.

In Pierce County, recreational opportunities adjacent and within the reserve boundaries include Anderson Island, Solo Point, DuPont public beaches, WDFW Wildlife Areas, and ferry transportation to explore the Anderson and Eagle islands. Anderson Island offers a fairly long stretch of public tidelands, including Carlson Bay and the Andrew Anderson Marin Park, extends northwestward from Thompson Cove to Treble Point. St. Anne's Park is also located along the same shoreline to the southeast with 1200 feet of undeveloped high-bluff waterfront. In 2010, the island Park District was awarded two Grants to purchase Jacob's Point, on a peninsula in Oro Bay, which includes over 4,900 feet of pristine beach frontage. The City of DuPont encompasses approximately 3.54 miles of shoreline and maintains a greenbelt along the entire length of their jurisdiction. Solo Point is used as a recreational access area for launching small boats and is a preferred site by the Nisqually Reach Nature Center and Fort Lewis families.

The Reserve area is used extensively for boating, including movement back and forth between Anderson, Eagle, McNeil, Ketron Islands and the mainland. There is also a ferry that runs from Steilacoom to Anderson and McNeil Island.

On occasion, public beaches adjacent to the reserve boundaries may be open by the Department of Health for recreational shellfish digging.

- b. Would the proposed project displace any existing recreational uses? If so, describe.

The proposed Nisqually Reach Aquatic Reserve Management Plan would not displace any recreational use.

- c. Proposed measures to reduce or control impacts on recreation, including recreational opportunities to be provided by the project or applicant, if any:

Not applicable.

DNR will promote and encourage appropriate, legal transient public recreational activities within the reserve (such as boating, water skiing, fishing, recreational shellfish digging swimming, and beach walking) conducted in a manner that preserves the habitats and species of the reserve.

13. Historic and Cultural Preservation

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

According to the Washington Information System for Architectural and Archaeological Record Data (WISAARD), available on the Department of Archaeology and Historic Preservation (DAHP) website, there are two notable upland sites adjacent to the reserve boundaries; none of these sites are located on state-owned aquatic lands (DAHP 2011).

- b. Generally describe any landmarks or evidence of historic, archeological, scientific, or cultural importance known to be on or next to the site? If so, generally describe.

The proposed Nisqually Reserve is marked by a number of historic events involving the development of water transportation and trading into the Puget Sound.

- (1) Hudson Bay Trading Company's ship, the Beaver, arrived in 1836, establishing a trading post at Fort Nisqually. Anderson Island is named after the chief trader, Alexander Caufield Anderson.
- (2) The U.S. Exploring Expedition opened up major transportation corridors for thousands of steamships to swarm Puget Sound, resembling a mosquito swarm ("The Mosquito Fleet").
- (3) The Nisqually Tribe and the Squaxin Island Tribe participated in the signing of the historic Treaty of Medicine (McCallister) Creek (1854), and together with the Puyallup tribe ceded over two million acres of homelands in western Washington. The circumstances surrounding the signing and details of the treaty may have been the catalyst for the Puget Sound War (Carpenter, C.S. et al 2008).
- (4) The Bolt Decision of 1974 reinforced Section II of the Medicine Creek Treaty stating that "The right of taking fish, at all usual and accustomed grounds and stations is further secured to said Indians, in common with all citizens of the Territory"
- (5) In 2002 and 2004, the federal courts (Judge Rafeedie) applied Tribal U&A rights to shellfish.
- (6) The Great Fire of Seattle (1889) burned down most of the central district of that city and a new city ordinance required rebuilding materials to be of brick or stone, not wood. Small brickyards sprung up around the Sound where good clay and a place to dock boats for transporting the bricks were found. This was the first and only – to this day – industry on Anderson Island. Remnants of bricks are found along "Brickyard Point" near Oro Bay to this day (Anderson R. 2011).

- c. Proposed measures to reduce or control impacts, if any:

The Aquatic Reserve Management Plan would not have any impacts on cultural or historical resources. DNR shall require that cultural and historical resources be identified and protected, as much as possible, a condition of approval of activities within the proposed reserve. During monitoring of activities, if a possible cultural site is discovered, work will stop and DNR's archaeologist and DAHP will be contacted to discuss further actions that are needed.

14. Transportation

- a. Identify public streets and highways serving the site, and describe proposed access to the existing street system. Show on site plans if any.

Pierce County –

- Union Ave North, Lafayette Street East or Commercial Street Southwest to the Steilacoom Ferry
- Solo Point Road to Solo Point

Thurston County –

- I-5 access to Meridian to John Luhr Rd NE (Luhr Beach) and surrounding communities
- I-5 access to Marvin Road NW to 56th Ave NE to 61st Ave NE

b. Is the site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

In Thurston County, transit stops at the Nisqually Nature Center, along the Nisqually River and I-5. This is approximately 2.5 miles from the actual shoreline. The proposed aquatic reserve boundary is slightly further.

In Pierce County, transit services the Steilacoom area down to Commercial and Union to serve the Anderson-Ketron ferry. Schedule is available on the Pierce Transit website under the Route number 212. Subject to change after June 2011 due to budget restraints. It is not known if DuPont receives transit services.

c. How many parking spaces would the completed project have? How many would the project eliminate?

The proposal does not create or eliminate parking spaces.

d. Will the proposal require any new roads or streets, or improvements to existing roads or streets, not including driveways? If so, generally describe (indicate whether public or private).

No.

e. Will the project use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

The Plan will not use any forms of transportation. Future actions (e.g. surveys, monitoring, derelict vessel or gear removal, piling or hard shoreline armoring removal) to implement the plan may use marine vessels.

Existing water traffic. The waters adjacent to and within the boundaries of the proposed aquatic reserve are used by a number of recreational and shipping vessels in South Sound. Please see Section II – Current Conditions – Vessel Traffic. Container and log ships, tugs, and other vessel traffic transit to and from Shelton and Olympia. Recreational vessel traffic is associated with public marinas, docks, residential docks or recreational use.

Existing rail. The BNSF Railway main line runs along the shorelines of the Aquatic Reserve in Thurston and Pierce counties, crossing the Nisqually River at approximately river mile 19 and river mile 3.5 and paralleling the reserve along a majority of the eastern boundary – from the River Delta to the northeastern boundary point. Please see Section II – Current Conditions – Train Traffic. The Reserve is surrounded by commercial truck traffic on I-5, State Route 507, and local roads.

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

Most likely, the current level of vehicle trips will remain unchanged.

g. Proposed measures to reduce or control transportation impacts, if any:

None.

15. Public Services

a. Would the project result in an increased need for public services (for example: fire protection, police protection, health care, schools, other)? If so, generally describe.

No.

- b. Proposed measures to reduce or control direct impacts on public services, if any.

None.

16. Utilities

- a. Circle utilities currently available at the site: **electricity**, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other.

There are submerged cables running through state-owned aquatic lands to provide utility services to the Islands. These services are available on the Islands, not within the boundaries of the reserve. Please see Appendix D – List of Existing Use Authorizations within the Reserve Boundary.

- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.

None.

C. SIGNATURE

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: 

Review by: _____

Title: Aquatic Resources Program manager

Date: 7-12-11

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(Do not use this sheet for project action)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

There would be no direct discharges to water, emissions to air, production, storage or release of toxic or hazardous substances from this proposal. The proposal recommends enhancement or restoration projects that may require in-water work which could cause short term turbidity, or cause temporary, localized noise production during the construction phase.

Proposed measures to avoid or reduce such increases are:

The proposal includes management actions aimed at preventing adverse effects to ecosystem goods and services within the Reserve. When these proposed Management actions result in site-specific proposals that are not minor (e.g. hard shoreline armoring removal), they would be reviewed under a separate, project level, SEPA review.

2. How would the proposal be likely to affect plants, animals, fish or marine life?

This proposal would provide significant benefit to plants, animals, fish and marine life. The proposal provides a strategic framework to guide management decisions for the conservation of aquatic habitats in the Nisqually Reach Aquatic Reserve. Implementation of the plan is expected to sustain and improve conditions for these species and their habitats.

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

Under the proposal, within its statutory authority, DNR would limit new leases to only those activities that are consistent with the Goals and Objectives of the proposed Nisqually Reach Aquatic Reserve Management Plan and do not result in adverse effects to ecosystem goods and services within the Reserve. The plan includes several actions directed at conservation targets, which will result in the protection, restoration, and enhancement of both aquatic and terrestrial habitats, while promoting research and education.

3. How would the proposal be likely to deplete energy or natural resources?

Adoption of this plan will not result in the depletion of energy or natural resources.

Proposed measures to protect or conserve energy and natural resources are:

None.

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designed (or eligible or under study) for governmental protection: such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

The plan would protect the current environment of the Nisqually Reach Aquatic Reserve region including habitats, plants and animals that use this region.

Proposed measures to protect such resources or to avoid or reduce impacts are:

The designation of the Nisqually Reach Aquatic Reserve and implementation of this management plan will protect the shorelines and aquatic lands that are within the aquatic reserve boundaries by ensuring that only uses consistent with the management plan are authorized. Consistency is determined by a critical review of all proposals pursuant to WAC 332-30-151 and consideration of the Implementation Committee's formal comments on proposed use authorizations. See sections 4 and 5 of the Proposed Nisqually Reach Aquatic Reserve Management Plan for criteria used to determine consistency with the plan.

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

DNR's management authority extends only to state owned aquatic lands, or the tidelands and bedlands owned by the state of Washington and managed by DNR. DNR will support voluntary efforts by adjacent upland and tideland land owners to reduce negative impacts to the aquatic environment as a result of harmful upland or tideland activities. This proposed management plan does not alter existing contractual rights and obligations of any use authorization. DNR will work with reauthorization applicants to ensure that continued use will comply with the proposed Nisqually Reach Aquatic Reserve Management. DNR will allow new uses on state-owned aquatic land within and adjacent to the reserve only if the use is consistent with the proposed management plan. DNR encourages public access and recreational uses, wildlife and landscape viewing and educational opportunities and activities on state-owned aquatic lands and within the proposed Nisqually Reach Aquatic Reserve.

Proposed measures to avoid or reduce shoreline and land use impacts are:

The proposed Nisqually Reach Aquatic Reserve management plan identifies measures, such as those found in Chapter 5 – Management Actions – to reduce impacts to shoreline and land use. Examples are listed in A.11 of the checklist.

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

The proposal would most likely not increase demands to transportation or public services.

Proposed measures to reduce or respond to such demand(s) are:

None.

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

The plan has been evaluated for consistency with local, state or federal environmental protection laws. The plan has also been evaluated for consistency with Thurston and Pierce Counties proposed Shoreline Master Program updates. The proposed Nisqually Reach Aquatic Reserve Management Plan would compliment rather than conflict with other environmental protection and local planning efforts. . See Section V – Relationship to Federal State, Local and Tribal Management in the Nisqually Reach Aquatic Reserve Management Plan.

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