



**DETERMINATION OF NONSIGNIFICANCE
ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENT AND ADDENDUM**

Description of current proposal: Modify the existing boundary of the Cherry Point Environmental Aquatic Reserve by including a 45 acre “cutout” originally established for a marine terminal in 2000 and identified in the Cherry Point Environmental Aquatic Reserve Management Plan, November, 2010 (Plan) as application number 20-013265, into the boundary of the Cherry Point Aquatic Reserve to be managed by DNR according to the goals and objectives of the Plan.

The Plan will be amended as follows to bring the plan into conformance with the proposed action:

1. Page 50, first paragraph: Remove the following language; “...*authorizations for one future industrial lease, and...*”
2. Pages 52 & 53: Remove the section **New Overwater Structures**
3. Appendix D: **Existing Encumbrances and Applications directly adjacent to the Aquatic Reserve**, page 179: Remove the entire section; Gateway Pacific Terminals – DNR lease 20-13265 – Application for a lease made by Gateway Pacific Terminals for a pier.
4. Appendix E: Revise “Withdrawn Public Land Boundary Description” to remove lease application number “20-013265” from the exemption in the third paragraph.

Proponent: Washington State Department of Natural Resources, Aquatic Division

Location of current proposal: Located in Whatcom County, this 45-acre area of state-owned aquatic land is located north of the Gulf Road terminus on the Cherry Point shoreline, and south of the British Petroleum oil transfer pier. The ‘cutout’ includes portions of the bedlands of navigable waters owned by the state of Washington abutting Section 19, Township 39 North, Range 1 East.

Description of the addendum information: This addendum will result in additional environmental protection by including an area of state-owned aquatic land into the boundary of the current Cherry Point Aquatic Reserve. The proposal will include an additional 45 acres of aquatic land into the management framework of the Plan and provide a strategic framework to guide management decisions for the conservation of aquatic habitats and species. The proposed boundary change will extend environmental protection to and benefit aquatic habitats and species including submerged aquatic vegetation, salmon rearing and migratory corridors, Cherry Point herring spawning habitat and pre-spawning and holding areas, birds, invertebrates and other wildlife that utilize the area (see section 5. Animals in the 2010 checklist). The boundary change would sustain and improve conditions and improve connectivity along the Cherry Point Reach for these species and their habitats.

Title of document being adopted: Cherry Point Aquatic Reserve Environmental Checklist, SEPA File No. 10-052001

Agency that prepared document being adopted: Washington State Department of Natural Resources

Date adopted document was prepared: May 20, 2010

Description of document (or portion) being adopted: Non-Project action to adopt the draft Cherry Point Aquatic Reserve Management Plan – May 14, 2010

If the document being adopted has been challenged (WAC 197-11-630), please describe:

The document is available to be read at (place/time): DNR Aquatic Resources Office, 1111 Washington Street SE, Olympia, WA. Monday – Friday 8:00am – 4:30pm

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. The change described in the addendum does not substantially change the analysis of significant impacts in the original document. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

There is no comment period for this DNS.

This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from November 4, 2016. Comments must be submitted by November 18, 2016.

We have identified and adopted this document as being appropriate for this proposal after independent review. The document meets our environmental review needs for the current proposal and will accompany the proposal to the decision maker.

Name of agency adopting document: Washington Department of Natural Resources

Contact person, if other than responsible official: David Palazzi **Phone:** 360-902-1069

Responsible Official: Kristin Swenddal

Position/title: Aquatics Division Manager **Phone:** 360-902-1124

Address: 1111 Washington Street SE, P.O Box 47027, Olympia, WA 98504-7027

Date Nov. 2, 2016 **Signature** 

There is no DNR administrative SEPA appeal.