



Protect Zangle Cove

Post Office Box 1786
Olympia, WA 98507
Email: protectzanglecove@gmail.com
Web: <http://protectzanglecove.org>

In coalition with:
Coalition to Protect Puget Sound Habitat
APHETI
Washington Sierra Club - Aquaculture
Friends of Anderson Island Shoreline
Friends of Burley Lagoon
Case Inlet Shoreline Association
Citizens of Harstine Island and Shine Beach

February 11, 2016

Tony Kantas, Senior Planner
Thurston County Planning Department
2000 Lakeridge Drive SW
Olympia, WA 98502-6045

Subject: Comments on Notice of Application, 3/12/15, ChangMook Sohn Industrial Geoduck Farm Application, 930 76th Ave NW, Parcel No. 12911440101, Case No. 2014108800

Dear Mr. Kantas,

Thank you for the information you provided in your email of February 10, 2016 regarding the status of the ChangeMook Sohn application for an industrial geoduck farm.

Since you stated that there is no new information in the file other than the messages from WDFW that you quoted in your email, we conclude that the applicant has not complied with the specific requests by Thurston County in your letter dated May 28, 2015 to Mr. Sohn.¹ You stated that you required the following information in order to complete the review of the project.

From Tony Kantas Letter dated 5/28/15 to ChangMook Sohn:

"2. There is documented eelgrass and an eagle's nest within the vicinity of the proposed geoduck farm. Please provide a biological evaluation of the potential impacts to both the eelgrass and to eagle's that may live within the vicinity. The Washington State Department of Natural Resources will give you a location of the eelgrass and the Washington State Department of Fish & Wildlife should be able to give you the location of the eagle's nest. The biological evaluation must evaluate all potential impacts to fish and wildlife habitat and be written in accordance with TCC 24.35 of the Thurston County Critical Areas Ordinance, as it pertains to fish and wildlife habitat. The biological evaluation will be routed to state and federal agency Biologists for review."

The Confluence document (11/20/15), to our knowledge, is not a biological evaluation on all potential impacts to fish and wildlife habitat, written in accordance with TCC 24.35 of the Thurston County Critical Areas Ordinance. Your letter of May 28, 2015 asked for information on impacts to fish and wildlife habitat that was not included in the original ACERA Biological Evaluation (12/17/14), for this project.

Additionally, other than a discussion of eagles caught in geoduck nets, Confluence and Mr. Sohn, to our knowledge, in their submission of 11/20/15, do not address at all the issue of the known and long-time resident bald eagle family that feeds on the exact area of the proposed geoduck farm. Below is a photo of the eagles taken 2/7/16 on Mr. Sohn's property. We've previously sent you a jpg image of this photo for the record along with photos of past sightings of the eagle and the eagle's nest.

The answer that Confluence gives to your question above is simply a referral back to the ACERA Biological Evaluation dated December 17, 2014, which is a circular argument and does not provide any new information.

¹ May 28, 2015 Letter from Tony Kantas, Thurston County, to ChangMook Sohn

Protect Zangle Cove, Letter to Tony Kantas, Thurston County, February 11, 2016

P 7 on the Confluence document, dated November 20, 2015:

"The Projects BE contains an extensive analysis of expected impacts to fish and fish habitat, and it concludes that there will not likely be adverse impacts. Section 4 of the BE describes the fish and habitat associated with the Projects action area, and Section 5 analyzes potential direct and indirect effects, including short term and long term effects related to noise, sediment transport and dynamics, sediment plumes, sediment nutrients, prey base, benthic faunal community and fish use, vegetation community, water quality, harvesting, and water column nutrients. BE Section 7 provides and analysis of essential fish habitat (EFH), with a focus on Pacific salmon, coastal pelagic species, and groundfish. All evaluated impacts were found to be insignificant and will not adversely affect EFH for Pacific salmon, groundfish, or coastal pelagics."

Please confirm to us in writing that you have put the Sohn application ON HOLD until the applicant complies with Thurston County requirements as specifically outlined in your letter to the applicant dated May 28, 2015 and that you have informed Mr. Sohn again in writing of this requirement to comply.

Thank you in advance for your response to this request.

Sincerely,
Patrick and Kathryn Townsend
Protect Zangle Cove





COUNTY COMMISSIONERS

Cathy Wolfe
District One
Sandra Romero
District Two
Bud Blake
District Three

RESOURCE STEWARDSHIP DEPARTMENT

Creating Solutions for Our Future

Scott Clark
Director

May 28, 2015

ChangMook Sohn
930 76th Avenue NE
Olympia, WA 98506

SUBJECT: Case No. 2014108800 – Sohn Geoduck Farm - Shoreline Project is Complete to Begin Project Review, with Further Information Needed to Address Particular Aspects of Proposal (Tax Parcel No. 12911440102).

Dear Mr. Sohn:

This is to inform you that the above-referenced application submitted to the Resource Stewardship Department includes the basic submittal information listed in the Zoning Ordinance, and is determined to be **Complete to Begin Project Review**. However, the 120-day review clock has been paused as additional information and studies are required to address particular aspects of your proposed commercial geoduck farm. The review clock will remain on hold during the time that you are gathering this information and will start once the information is submitted and deemed complete by staff. Project review will continue to the extent possible during this period.

The following information is required to enable a complete review of your project.

1. Please provide a recorded survey depicting the proposed boundary of the geoduck farm.
2. There is documented eelgrass grass and an eagle's nest within the vicinity of the proposed geoduck farm. Please provide a biological evaluation of the potential impacts to both the eelgrass and to eagle's that may live within the vicinity. The Washington State Department of Natural Resources will give you the location of the eelgrass and the Washington State Department of Fish & Wildlife should be able to give you the location of the eagle's nest. The biological evaluation must evaluate all potential impacts to fish and wildlife habitat and be written in accordance with TCC 24.35 of the Thurston County Critical Areas Ordinance, as it pertains to fish and wildlife habitat. The biological evaluation will be routed to state and federal agency Biologists for review.
3. A copy of all the comments received by near-by neighbors in response to the notice of application is provided as an attachment to this letter. Please have your Biologist review these comment letters with keeping in mind that the burden is on the applicant to demonstrate that the proposal will not impact fish and wildlife habitat. If important habitat areas or associated buffers could

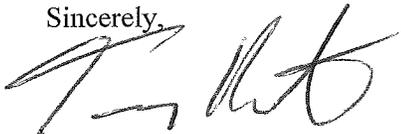
potentially be impacted, a mitigation plan needs to be developed and submitted as part of the biological evaluation/critical areas report. It may be important to cite case law and studies that have been developed pertaining to commercial geoduck farms within the Puget Sound.

4. Please provide a mitigation plan that mitigates the potential recreational, noise, and light impacts the commercial geoduck farm could pose to neighboring properties.
5. A site visit needs to be facilitated soon during a lower tide. Let me know a good time that works for you and your Biologist and I will contact Washington State Department of Ecology, Washington State Department of Fish & Wildlife, Washington State Department of Natural Resources and possibly the Army Corp of Engineers to participate in the site visit.
6. Based upon submitted public comments and additional biological evaluation being needed, a revised SEPA checklist may be required.

To avoid delays in processing your application, please submit all requested information directly to me. The information must be received within 180 days of the date of this letter or your application will lapse. An extension may be requested prior to the lapse date. Once the above information is submitted and deemed complete, the 120-day clock will start. If staff finds that further information or studies are needed later in the review process, you will be notified, in writing, as to what new information is required. The clock may be stopped while awaiting that information.

Thank you for your application submittal. We look forward to receiving the information listed above. **Please be sure to address all correspondence concerning your project directly to me at the address on the letterhead. If you have questions, feel free to call me at (360) 786-5472. My email address is kantast@co.thurston.wa.us.**

Sincerely,



Tony Kantas
Associate Planner

Enclosed: Public Comment Letters

cc: Alex Calendar, Washington State Department of Ecology
Theresa Nation, Washington State Department of Fish & Wildlife
Brad Pruitt, Washington State Department of Natural Resources
Darren Habel, Army Corp of Engineers
Cyrilla Cook, Washington State Department of Natural Resources
Squaxin Indian Tribe