



State of Washington
DEPARTMENT OF FISH AND WILDLIFE

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Main Office Location: Natural Resources Building, 1111 Washington Street SE, Olympia, WA

DETERMINATION OF NONSIGNIFICANCE (DNS)

Name of Proposal: DNS 19-018: SUCTION DREDGE RULE MAKING 2019

Description of Proposal:

In April 2018, the Fish and Wildlife Commission directed Washington Department of Fish and Wildlife (WDFW) staff to initiate rule making activity to:

- Require an individual Hydraulic Project Approval (HPA) for suction dredging in Washington waters;
- Remove suction dredging as an authorized activity in the Gold and Fish Pamphlet;
- Develop application and reporting methods to enable WDFW to determine the number of prospectors engaged in suction dredging and where and how much suction dredging occurs; and
- Identify methods to prevent the spread of aquatic invasive species through the movement of suction dredging equipment into and around the state.

WDFW has initiated rule making to implement these objectives. Proposed changes are primarily administrative, and include:

1. Update the definition of suction dredging to include non-motorized suction (gravity) dredges, dryland dredging, and hand-operated dredges. At the request of a commenter, we also propose to update the definition of “dredge” to exclude subsurface hard rock mining (WAC 220-660-030);
2. Remove the suction dredging activity from the Gold and Fish pamphlet mineral prospecting rules (WAC 220-660-300). Remaining rules will be edited for clarity. No changes to provisions or authorized work times will be made.
3. Create a new section exclusively for suction dredging (WAC 220-660-305) that carry over the suction dredging provisions that are being removed from WAC 220-660-300. This includes regulation of suction dredge/high-banker/power sluice combination equipment when being used in suction dredge mode.
4. Create application methods for suction dredging;
5. Require inspections and decontamination to prevent spread of aquatic invasive species.
6. Add a sub-section with provisions for dryland dredging. Provisions for dryland dredging are the same as provisions for high-banking within WAC 220-660-300. No new activity is expected as a result of this change.
7. Add requirement for suction dredgers to submit annual report regarding the date, amount, type, and location of suction dredging activities.

Provisions for dryland dredging and preventing the spread of aquatic invasive species are the only non-administrative changes under the proposal.

In summary, with the exception of the provisions for dryland dredging and aquatic invasive

species mentioned above, this proposal only implements a change in the way suction dredging is permitted and a change in reporting requirements. There are no anticipated changes to the effort, locations, typical equipment, or manner of suction dredging activity in Washington. The 2019 suction dredge rule making proposals do not change baseline effects to environmental elements.

Note that references to suction dredging in the following checklist incorporate all methods in the definition of suction dredging, and also refer to suction dredge/high-banker/power sluice combination equipment when those combinations are being used in suction dredge mode.

Proponent/Applicant: Washington State Department of Fish and Wildlife (WDFW)
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Location of Proposal, including street, if any: The HPA program and Hydraulic Code rules apply statewide.

Lead Agency: Washington Department of Fish and Wildlife (WDFW)

WDFW has determined that this proposal will likely not have a significant adverse impact on the environment. Therefore, state law¹ does not require an environmental impact statement (EIS). WDFW made this determination of nonsignificance (DNS) after we reviewed the environmental checklist and other information on file with us.

We issued this DNS according to state rules.² We will **not act on this proposal for 42 days** from the date we issued the DNS. Agencies, affected tribes, and members of the public are invited to comment on this proposal or DNS. We must receive your comments within 42 days of the date of this letter. The comment period will end at **5:00 pm on April 8, 2019**.

Method of Comment:

The following procedures shall govern the method to comment on agency SEPA proposals. Comments received through these procedures are part of the official SEPA record for this proposal.

You can submit your comments any one of the following ways:

- Email to SEPAdesk2@dfw.wa.gov
- Online at the WDFW SEPA website comment link at: <http://wdfw.wa.gov/licensing/sepa/>
- Fax to (360) 902-2946;
- Mail to the address below.

Responsible Official: Lisa Wood

Position/Title: SEPA/NEPA Coordinator, WDFW Habitat Program, Protection Division

Address: P.O. Box 43200, Olympia, WA 98504-3200

After the comment period closes, applicants may view the updated status of this proposal on the WDFW SEPA website: <http://wdfw.wa.gov/licensing/sepa/>. Once the status is posted as final, applicants and permittees may take action on the proposal. When a proposal is modified or withdrawn, notice will be given in accordance with state law.¹

If you have questions about this DNS or the details of the proposal, contact Lisa Wood at the

address, e-mail, or fax number above; you can also call her at (360) 902-2260.

DATE OF ISSUE: February 25, 2019

SIGNATURE:

A handwritten signature in black ink that reads "Lisi Wood". The signature is written in a cursive, flowing style.

Footnotes

1. RCW 43.21C.030(2)(c)
2. WAC 197-11-340(2).

SEPA Log Number: 19-018.dns