

**From:** [Spinelli, Justin P. \(DFW\)](#)  
**To:** [Derek Marks](#)  
**Cc:** [SEPADesk2 \(DFW\)](#)  
**Subject:** RE: DNS 21-037: HENDERSON GRASS CARP - Snohomish County  
**Date:** Friday, August 13, 2021 9:27:39 AM

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Mr. Marks,

Thank you for reviewing the proposed introduction of Triploid Grass Carp into the private pond at 12926 State Route 530 NE to control aquatic vegetation. This proposal is to introduce up to 10 Triploid Grass Carp into an existing, screened pond. Triploid Grass Carp are sterile and a registered non-native game fish in Washington State. The WDFW agrees that reestablishing passage through migratory barriers is an important priority. However, a Hydraulic Project Approval is not required because screening is already in place at Mr. Henderson's pond so there is not a viable avenue to require fish passage through the site, at this time.

I am sorry for the long delayed response. We will delay finalizing this proposal until August 20 to ensure there is time for further discussion if you have additional comments or concerns.

Thank you again for reviewing the proposal.

Justin Spinelli  
Fisheries Biologist  
WDFW / Region 4 Fish Program  
cell: (425) 418-2825  
email: [Justin.Spinelli@dfw.wa.gov](mailto:Justin.Spinelli@dfw.wa.gov)

-----Original Message-----

From: Derek Marks <[dmarks@tulaliptribes-nsn.gov](mailto:dmarks@tulaliptribes-nsn.gov)>  
Sent: Tuesday, July 27, 2021 1:16 PM  
To: SEPADesk2 (DFW) <[SEPADesk2@dfw.wa.gov](mailto:SEPADesk2@dfw.wa.gov)>  
Cc: Spinelli, Justin P (DFW) <[Justin.Spinelli@dfw.wa.gov](mailto:Justin.Spinelli@dfw.wa.gov)>; American Forest Resource Council <[mcomisky@amforest.org](mailto:mcomisky@amforest.org)>; Arber, Laura M (DFW) <[Laura.Arber@dfw.wa.gov](mailto:Laura.Arber@dfw.wa.gov)>; Conservation NW Dave Werntz <[dwerntz@conservationnw.org](mailto:dwerntz@conservationnw.org)>; Costello, Casey D (DFW) <[Casey.Costello@dfw.wa.gov](mailto:Casey.Costello@dfw.wa.gov)>; Dept of Archaeology & Historic Preservation <[sepa@dahp.wa.gov](mailto:sepa@dahp.wa.gov)>; DNR RE FP BOARD <[forest.practicesboard@dnr.wa.gov](mailto:forest.practicesboard@dnr.wa.gov)>; DNR RE SEPACENTER <[SEPACENTER@dnr.wa.gov](mailto:SEPACENTER@dnr.wa.gov)>; Eleazer, Edward J (DFW) <[Edward.Eleazer@dfw.wa.gov](mailto:Edward.Eleazer@dfw.wa.gov)>; Logan, Jessica (PARKS) <[Jessica.Logan@PARKS.WA.GOV](mailto:Jessica.Logan@PARKS.WA.GOV)>; NMFS West Coast Region <[wcr.nepa@noaa.gov](mailto:wcr.nepa@noaa.gov)>; NW Indian Fisheries Commission Mike Grayum <[grayum@nwifc.org](mailto:grayum@nwifc.org)>; Smith, Lorna D (DFW) <[Lorna.Smith@dfw.wa.gov](mailto:Lorna.Smith@dfw.wa.gov)>; Snohomish Co Planning Sean Curran <[Sean.Curran@co.snohomish.wa.us](mailto:Sean.Curran@co.snohomish.wa.us)>; Stillaguamish Tribe Kerry Lyste <[KLyste@stillaguamish.com](mailto:KLyste@stillaguamish.com)>; Stillaguamish Tribe Pat Stevenson <[PStevenson@stillaguamish.com](mailto:PStevenson@stillaguamish.com)>; Stillaguamish Tribe Scott Rockwell <[SRockwell@stillaguamish.com](mailto:SRockwell@stillaguamish.com)>; Brett Shattuck <[bshattuck@tulaliptribes-nsn.gov](mailto:bshattuck@tulaliptribes-nsn.gov)>; USFWS <[wfoctap@fws.gov](mailto:wfoctap@fws.gov)>; Watne, Wayne S (DFW) <[Wayne.Watne@dfw.wa.gov](mailto:Wayne.Watne@dfw.wa.gov)>; Marczin, Paul J (DFW) <[Paul.Marczin@dfw.wa.gov](mailto:Paul.Marczin@dfw.wa.gov)>; Verhey, Peter A (DFW) <[Peter.Verhey@dfw.wa.gov](mailto:Peter.Verhey@dfw.wa.gov)>; WSDOT Ramin Pazooki <[ramin.pazooki@wsdot.wa.gov](mailto:ramin.pazooki@wsdot.wa.gov)>; Yarborough, Fenner F (DFW)

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Subject: Re: DNS 21-037: HENDERSON GRASS CARP - Snohomish County

External Email

After evaluation of the proposal, Tulalip Tribes finds that the alleged pond that is proposed to be stocked with non-native and potentially invasive species is part of a natural drainage system, documented in the Washington State Fish Passage inventory as having significant habitat that would aid in the recovery of anadromous species (coho, chum, steelhead, sea-run cutthroat). By permitting the continued existence of the pond and fish passage barrier, the State of Washington is denying their obligation to uphold Tribal Treaty Rights and access to fisheries needed to support the Tribes. We request that the State deny the stocking permit and require the applicant to restore fish passage to this potentially valuable resource/habitat.

Thank you for the opportunity to comment. We look forward to seeing restoration of this site.

Derek Marks

Timber Fish & Wildlife Manager

360.716.4614 (currently forwarded to my cell)

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From: SEPADesk2 (DFW) <[SEPADesk2@dfw.wa.gov](mailto:SEPADesk2@dfw.wa.gov)>

Sent: Tuesday, July 27, 2021 12:36:00 PM

To: SEPADesk2 (DFW)

Cc: Spinelli, Justin P (DFW); American Forest Resource Council; Arber, Laura M (DFW); Conservation NW Dave Werntz; Costello, Casey D (DFW); Dept of Archaeology & Historic Preservation; DNR RE FP BOARD; DNR RE SEPACENTER; Eleazer, Edward J (DFW); Logan, Jessica (PARKS); NMFS West Coast Region; NW Indian Fisheries Commission Mike Grayum; Smith, Lorna D (DFW); Snohomish Co Planning Sean Curran; Stillaguamish Tribe Kerry Lyste; Stillaguamish Tribe Pat Stevenson; Stillaguamish Tribe Scott Rockwell; Brett Shattuck; Derek Marks; USFWS; Watne, Wayne S (DFW); Marczin, Paul J (DFW); Verhey, Peter A (DFW); WSDOT Ramin Pazooki; Yarborough, Fenner F (DFW)  
Subject: DNS 21-037: HENDERSON GRASS CARP - Snohomish County

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The Washington Department of Fish and Wildlife has prepared a Determination of Non-significance (DNS) in accordance with the State Environmental Policy Act regulation. This DNS is being circulated for review by all agencies with jurisdiction.

The DNS (including method of comment options) and supporting documents may be viewed at <https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fdfw.wa.gov%2Flicenses%2Fenvironmental%2Fsepa%2Fopen-comments&data=04%7C01%7CJustin.Spinelli%40dfw.wa.gov%7C8f8105155867480992c808d9513b5d42%7C11d0e217264e400a8ba057dcc127d72d%7C0%7C0%7C637630137678016063%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C1000&odata=yEqQayS4%2BMFT9Om2uuiNfRM1j45gl1Ggh1AqQlYGnkw%3D&reserved=0>.

We appreciate your review of the proposal and return of comments no later than 5:00 pm on August 10, 2021. This proposal will not be acted upon before that time. Comments received through these procedures are part of the official SEPA record for this proposal.

Lisa Wood

SEPA Responsible Official, SEPA/NEPA Coordinator, and HPA Appeals Coordinator Washington Department of Fish and Wildlife PO Box 43200 | Olympia, WA 98504

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