

# COMMISSIONER'S ORDER

STATE OF WASHINGTON  
DEPARTMENT OF NATURAL RESOURCES  
Doug Sutherland  
Commissioner of Public Lands  
Olympia, Washington 98504

## WITHDRAWAL ORDER FOR OLYMPIC VIEW SITE

The State of Washington being the owner of certain aquatic lands consisting of tidelands and bedlands, Harbor Areas and Waterways adjacent to the Puyallup River delta and Commencement Bay in Pierce County (that area of the bay between the Thea Foss and Sitcum Waterways, including the Puyallup River below the I-5 bridge) hereafter described, has found the following:

The Olympic View site establishes a permanent site for the restoration and remediation of habitat patches in the Puyallup River estuary and corridors that link to the Puyallup River “neodelta,” and

The greatest diversity of fish (29 species) was found at Olympic View of all the restoration sites that were monitored in Commencement Bay, and

The site contains the only known eelgrass (*Zostera marina*) bed occurring along the face of the Puyallup delta. Estimates suggest that only 12 acres of eelgrass exist within Commencement Bay. Eelgrass is listed as a priority habitat by the Washington Department of Fish & Wildlife (WDFW) and the scarcity of eelgrass within the bay likely enhances its value. Eelgrass beds provide habitat and feeding grounds for important wildlife species including juvenile salmonids, forage fish, and great blue heron, and

Federal laws obligate the City of Tacoma, Washington State Department of Natural Resources (WDNR), and other parties to conduct clean up and restoration of aquatic habitat to help repair damage to the natural resources in Commencement Bay, and

Ensuring environmental protection is a management objective for state-owned aquatic lands (RCW 79.90.455(3)), and

Natural values of state-owned aquatic lands as wildlife habitat, natural area preserves, representative ecosystems or spawning areas are to be considered prior to the WDNR issuing any lease or authorizing any changes in use (RCW 79.90.460(3)), and

The WDNR may withhold from leasing lands which it finds to have significant natural values (RCW 79.90.460(3)), and

Therefore, the Commissioner of Public Lands being fully advised, and believing that the hereafter described aquatic lands between Thea Foss and Middle Waterway are a natural resource of great natural value that should be set aside for conservation purposes and that this stewardship commitment is a significant initial contribution to the recovery of Puget Sound, it is therefore,

ORDERED AND DIRECTED that the records of the WDNR shall note in accordance with provisions of RCW 79.90.460(3) that the property hereafter described possesses unique and significant natural values and shall be withdrawn from leasing, except for habitat restoration or conservation projects, for an indefinite term from the date of signature of this withdrawal order, and

That this order supports the City of Tacoma Natural Resource Damage Assessment Agreement and Consent Decree (Civil Action C97-5336, United States District Court, Tacoma, December 30, 1997).

This order hereby rescinds the Commissioner's Order concerning Olympic View, dated May 24, 2000.

#### LEGAL DESCRIPTION

That portion of the harbor area fronting and abutting Blocks 29, 30 and 31 of the Amended Supplemental Plat of Tacoma Tide Lands, Sheet 4, approved by the Board of State Land Commissioners October 7, 1902, described as follows:

The portion of the harbor area bounded by the inner and outer harbor lines, the easterly line of City (Thea Foss) Waterway and the westerly line of Middle Waterway;

EXCEPTING THEREFROM, the following Use Authorizations issued by the Department of Natural Resources: lease application numbers 22-A002621, 22-A02787 and 22-002572,

ALSO EXCEPTING THEREFROM, any first class tide lands previously sold by the State of Washington.

Situated in the City of Tacoma, Pierce County, Washington.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

STATE OF WASHINGTON  
DEPARTMENT OF NATURAL RESOURCES

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Doug Sutherland  
Commissioner of Public Lands