

ENVIRONMENTAL CAUCUS

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A n d e r s o n
I s l a n d Q u a l i t y
o f L i f e
C o m m i t t e e

CALPORTLAND COMPANY

**WASHINGTON DEPARTMENT OF
ECOLOGY**

NEWS RELEASE

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**Agreement reached on plan to help restore Sequelitchew Creek,
allow new gravel mining proposal**

Environmental Caucus, CalPortland and Department of Ecology
announce pact

DuPont, WA – A Settlement Agreement announced today would begin the planning process to help restore Sequelitchew Creek and Edmond Marsh, while allowing CalPortland Company to submit a new mining proposal subject to additional environmental review, public comment, and local, state and federal permit requirements.

This agreement was reached after more than three years of face-to-face meetings, including two years of mediated discussions between the parties that signed a 1994 agreement. They include the Nisqually Delta Association; the Washington Environmental Council; People for Puget Sound; Tahoma, Black Hills and Seattle Audubon chapters; the Anderson Island Quality of Life Committee (together known as the Environmental Caucus); CalPortland Company, the City of DuPont and the Washington State Department of Ecology.

“This continuation of the 1994 agreement includes preservation of 45 acres of Puget Sound shore lands and adjacent open space as well as improving flows for Sequelitchew Creek – both of which will help restore South Puget Sound ,” said Sally Toteff, regional director for the Washington Department of Ecology. “Our negotiations were able to bring private entities, government agencies and local and regional environmental groups

together to establish an extraordinary opportunity for long-awaited restoration to take place.”

Based on a Feasibility Study of different alternatives, negotiations were held with a mediator to develop the agreement announced today.

“This was a long and at times very tough negotiation, but early on we saw the potential for a settlement when we were able to quickly agree on a clear set of goals that called for restoring and enhancing the Sequalitchew Creek watershed, including restoration of stream flows along the entire creek,” said Tom Skjervold, president of the Nisqually Delta Association. “The creek has had problems for more than half a century, and for at least 25 years now there have been a number of efforts to restore parts of the watershed. However today is the first time we’ve had a chance to address the watershed as an ecologically integrated whole: from Sequalitchew Lake, through the group of marshes, down the length of the creek and into Puget Sound. We kept this clearly in mind when determining how any mining proposal might go forward, along with restoring and enhancing the watershed.”

The agreement, which must be approved by the DuPont City Council, includes a detailed series of restoration actions for Sequalitchew Creek over the next several years.

Changes made to the creek’s channel and in the watershed have resulted in fish habitat and water flow deteriorating over time. Creek flows have dwindled so much that the state has determined it no longer qualifies as a state shoreline. Recent studies show that even modest increases in the water flowing into the creek would dramatically improve access to, and quality of, its fish habitat.

At the same time as the restoration plan is being developed, a gravel mining proposal will be developed and submitted by CalPortland and undergo a new supplemental environmental impact statement review process, which would include opportunities for public review and comment.

“We think we achieved a fair balance that protects and enhances the habitat in Edmond Marsh and Sequalitchew Creek, but still allows an application to be made for gravel mining in areas designated for this purpose,” said Pete Stoltz, permitting manager for CalPortland. “There will be additional environmental review of any gravel mining proposal.”

It is important to note that the agreement does not approve or authorize any mining project. Despite the settlement, the mining permits will be processed through the normal channels of the regulatory agencies as required by law. It does lay out a process for restoring or enhancing the creek and marsh, as well as establishing requirements with which the gravel mine operation must comply in addition to completing a supplemental environmental impact statement.

The agreement also lays out a process in which the parties to the agreement will work with South Puget Sound Salmon Enhancement Group, Joint Base Lewis-McChord and the Nisqually Tribe to develop and implement the Restoration Plan with input from citizen and community groups and government agencies. Once a plan is developed and approved, the Salmon Enhancement Group, again with input from the community and other key stakeholders, will manage its implementation. CalPortland will pay for the preparation of the Restoration Plan. Once the Restoration Plan is prepared, CalPortland and the Environmental Caucus will agree on an amount CalPortland will pay for its permitting and implementation, so long as there are no appeals of CalPortland's permits for mining and reclamation of two areas next to CalPortland's existing mine. The City of DuPont's Comprehensive Plan designates these two additional areas as mineral resource areas of long-term significance, and the Environmental Caucus agrees to support CalPortland's proposals to mine the areas provided they comply with limitations and requirements in the Settlement Agreement.

From the beginning of negotiations, the clear goal of the plan envisioned in the Settlement Agreement has been to enhance and restore the habitat of Sequatchew Creek and Edmond Marsh, and to develop a strong monitoring program to ensure that the plan is actually working.

“The ideas that were discussed during negotiations, and those that will be developed as the plan is being completed, will be designed to help restore and enhance the marsh and creek,” Skjervold said. “Another requirement is the development of a monitoring program that ensures the members of the Environmental Caucus and the community will know how the plan is actually working.”

The Settlement Agreement is expected to be submitted to the DuPont City Council for its consideration early this summer.

A summary of the agreement is attached.

More information about the agreement is available for review on the Department of Ecology's website at http://www.ecy.wa.gov/puget_sound/index.html, on the City of DuPont's website at <http://www.ci.dupont.wa.us/> and on CalPortland's DuPont website at <http://www.calportlandresources.com/dupont/default.aspx>.

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