



File Code: 1950-1

Date: May 29, 2008

Dear Interested Party:

On May 28, 2008 I made the decision to implement the Modified Permit Conditions Alternative as described in the Decision Notice for the Environmental Assessment for the Port Townsend Special Use Permit. This decision approves the reissuing of three special use permits (SUP) for the City of Port Townsend municipal water supply facilities for a period of 20 years. Two SUPs are for areas adjacent to the Big Quilcene and Little Quilcene Rivers and permit water diversion and transmission pipeline facilities. The third SUP covers an area immediately adjacent to the Big Quilcene diversion facility that is used for the caretaker residence and water supply maintenance buildings.

I selected the Modified Permit Conditions Alternative because it will best allow the City to continue to provide a reliable, cost effective, and dependable source of water to its service area while addressing resource concerns related to Endangered Species Act (ESA) listed aquatic species. My decision will permit the City to continue to operate and maintain their existing water supply system, with no substantial changes in the occupancy and use of National Forest System land.

Key features of my decision are the requirements to maintain an instream flow in the Big Quilcene River of 27 cubic feet per second (cfs) below the diversion dam at river mile 9.4 when the natural flow in the river exceeds 27 cfs and implement a monitoring plan as described in the Biological Opinion received from the National Marine Fisheries Service (NMFS). The requirement to convert the instream flow requirement from a voluntary agreement to a mandatory requirement will provide additional certainty that necessary instream flows will be achieved during low flow periods. The monitoring plan involves a 5 year monitoring period at the end of which the Forest Service, NMFS, and the City will utilize the information collected to conduct a collaborative review of the impacts of the water diversions on ESA listed fish species. This will help insure that the effects of the project have been correctly analyzed and provide a mechanism for making any needed changes in project implementation.

Copies of the Decision Notice, Finding of No Significant Impact, response to comments received during the public notice and comment period (EA Appendix C), and final environmental assessment are available online at the Olympic National Forest web page, <http://www.fs.fed.us/r6/olympic/projects-nu/index.shtml>; or upon request from the Olympic National Forest, 1835 Black Lake Blvd, SW, Suite A, Olympia, WA 98512. For those who commented on the project, the Decision Notice and response to comments are enclosed.



This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR 215 by individuals or organizations who provided comment or otherwise expressed interest in the proposed action during the Environmental Assessment comment period. Any appeal must be filed to the Appeal Deciding Officer within 45 days following publication of legal notice of the decision in the newspaper of record, *The Olympian*. The publication date of notice of the decision is the sole means of calculating the appeal filing deadline. See the Administrative Review or Appeal Opportunities section of the Decision Notice for details on filing appeals.

For additional information concerning this decision contact Tim Davis, Forest Planner at the Olympic National Forest Supervisors Office, 1835 Black Lake Blvd, SW, Suite A, Olympia, WA 98512 or phone (360) 956-2375.

Sincerely,

A handwritten signature in black ink, appearing to read "Dale Hom", with a long horizontal flourish extending to the right.

DALE HOM
Forest Supervisor

Enclosure

cc: Timothy E Davis