

# COMMISSIONER'S ORDER

STATE OF WASHINGTON  
DEPARTMENT OF NATURAL RESOURCES  
Doug Sutherland  
Commissioner of Public Lands

## WITHDRAWAL AND DESIGNATION ORDER FOR THE CYPRESS ISLAND ENVIRONMENTAL AQUATIC RESERVE

The State of Washington is owner of aquatic lands known as the Cypress Island site, consisting of tidelands and bedlands surrounding Cypress Island and also surrounding Strawberry, Cone and Towhead Islands in Skagit County, hereafter described. Under statutory mandates, the Washington State Department of Natural Resources manages state-owned aquatic lands, and has found the following attributes that make the Cypress Island site unique and critical for conservation:

The site represents valued aquatic resources, excellent upland conditions and opportunities for the Department to coordinate upland, intertidal and subtidal management.

The estuarine area contains a unique blend of habitats, including intertidal and subtidal rocky reef habitats, unconsolidated subtidal habitats, pocket beaches, mixed coarse and mixed fine beaches, and several protected embayments.

Reserve designation of the aquatic lands will help assure that the upland Natural Resources Conservation Area is linked to the surrounding aquatic resources, protecting ecosystem connectivity.

The shoreline areas remain in a relatively undisturbed, undeveloped state, and are home to continuous and patchy stretches of kelp and eelgrass.

The state Department of Natural Resources is responsible for managing state-owned aquatic lands in a manner that includes:

Ensuring environmental protection as a management objective for state-owned aquatic lands (RCW 79.105.030(3)), and

Considering natural values of state-owned aquatic lands as wildlife habitat, natural area preserves, representative ecosystems or spawning areas prior to the Department issuing any lease or authorizing any changes in use (RCW 79.105.210(3)), and

Withholding from leasing lands which the Department finds to have significant natural values (RCW 79.105.210(3)).

The goals of establishing a reserve surrounding Cypress Island are to protect the natural conditions of the area, provide ecosystem connectivity to the surrounding uplands, and protect and perpetuate the unique aquatic features at the site.

Therefore, according to the powers vested in the office of Commissioner of Public Lands (RCW 79.105.030(3), RCW 79.10.210, and WAC 332-30-151), I, Doug Sutherland, hereby order and direct that Washington State tidelands and bedlands described below are withdrawn from the general leasing program and established as an Environmental Aquatic Reserve.

LEGAL DESCRIPTION

The tidelands and bedlands of navigable waters, owned by the State of Washington, Department of Natural Resources, lying in front of and surrounding Cypress Island, Strawberry Island, and Cone Islands No.1, No.2 & No.3 (according to the official government survey approved 1933) and said islands are located within Sections 4, 5, 6 and 8, Township 35 North, Range 1 East, W.M. and Sections 17-22, inclusively, and sections 27-34, inclusively, Township 36 North, Range 1 East, W.M., and extending waterward to a water depth of 70 feet below mean lower low water or one-half mile from the line of extreme low tide, whichever line is further waterward;

SUBJECT TO Washington State Department of Natural Resources Use Authorizations 20-A12517, 20-011458, 20-010667 and 20-010827.

All of the above described lands are situated in Skagit County, Washington.

And further, it is

ORDERED AND DIRECTED that the records of the Washington State Department of Natural Resources shall note that the property hereafter described possesses unique and significant natural values and shall be managed according to the Final Cypress Island Comprehensive Management Plan (August 1, 2007) for 90-years from the date of signature of this Commissioner's Order.

This order hereby rescinds the Commissioner's Order concerning the tidelands and bedlands surrounding Cypress Island, dated November 17, 2000.

Dated this 1<sup>st</sup> day of August, 2007.

STATE OF WASHINGTON  
DEPARTMENT OF NATURAL RESOURCES



  
Doug Sutherland  
Commissioner of Public Lands  
Olympia, Washington