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Ecology decides Pierce County shoreline amendment

OLYMPIA – The Washington Department of Ecology (Ecology) today issued a decision on Pierce County's interim aquaculture regulations.

Ecology accepted most of the county's proposed standards with some exceptions. Particularly, Ecology rejected language that would have restricted the hours of operation and limited planting and harvest areas for the shellfish industry to use.

The county proposed the interim regulations to help address concerns raised by shoreline property owners about their recreational use of the beach and other impacts of the intertidal geoduck farming.

The regulations would amend the county's existing shoreline use regulations and will sunset once the county completes a comprehensive update of its 35-year-old Shoreline Master Program. Development of the new program will include an opportunity to revisit the intertidal aquaculture issue.

Pierce County proposed limiting the hours a shellfish farm could operate to weekdays, 8 a.m. to 4:30 p.m. However, two Shoreline Hearings Board decisions led Ecology to reject this language. The Board found that access to intertidal areas is already limited by the tides. Regulations need to recognize this constraint and shouldn't prevent reasonable operations of an intertidal shellfish farm.

Ecology also rejected the county's plan to prohibit the use of nets and tubes in urban and residential shoreline areas. The county wasn't able to provide Ecology with an inventory of what shoreline areas could be used by aquaculture. Without this information, Ecology couldn't determine what effects the prohibition would have on future aquaculture operations.

Aquaculture is identified as one type of preferred use allowed in shoreline areas under the Shoreline Management Act, which was passed by voters in 1972. The Act has three broad goals:

- Protect shoreline natural resources.
- Promote public access.
- Encourage water-dependent uses, such as aquaculture, ports and recreation.

Counties and cities with marine waters and large lakes and river systems adopt specific rules that apply to shoreline development called Shoreline Master Programs. Many jurisdictions are in the process of changing their programs to reflect state guidelines updated in 2003.

Ecology's decision also included some changes to the county's proposal on regulating piers and docks to allow multiple docks, piers and float structures on individual shoreline parcels.

Pierce County has 30 days to respond to Ecology's decision. If they accept Ecology's changes, the new regulations go into effect. Afterwards, the public has 60 days to file an appeal of the county's new regulations with the Central Puget Sound Growth Management Hearings Board.

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For more information about shoreline management:

<http://www.ecy.wa.gov/programs/sea/sma/index.html> Ecology's Web site: <http://www.ecy.wa.gov>