

Meeting Notes

Shellfish Aquaculture Regulatory Committee

October 15, 2007

11:00 a.m. - 3:45 p.m.

John L. O'Brien Building, Hearing Room A
Olympia, Washington

Present: Nick Jambor, Bryan Harrison, Dave Risvold (alt.) Bruce Wishart, Blaine Reeves (alt.) Yongwen Gao (alt.), Jeff Dickison, Diane Cooper, Ward Willits, Eric Hurlburt, Laura Hendricks (alt.), Krystal Kyer (on phone).

Agency Staff: Tom Clingman, Jeanne Koenings, Casey Ehorn (USACE), Perry Lund, Jeff Stewart, Matt Niles (Ecology Staff)

Facilitator: Sally Toteff, Department of Ecology

Note taker: Candice Holcombe, Department of Ecology

Introductions

Approval of Proposed Agenda and Meeting Goals

(Sally Toteff, Facilitator)

- Meeting Goals:
 - Follow-up:
 - Report from Ecology staff
 - Status of RFP
 - Proposed final ground rules.
 - Committee discussion and roundtable.
 - Discuss problems and possible solutions for regulatory permit process for shellfish aquaculture.
- Discussion of proposed agenda:
 - Diane Cooper expressed concern about committee representation. She emphasized that committee members are supposed to represent the larger caucus behind them and said it doesn't seem like the counties at the table are caucusing with the rest of counties. She noted that the counties she's spoken with that are primary shellfish growers have not been contacted by anyone on the committee and said they definitely have perspective to offer on this issue.
 - Bryan Harrison said he spoke with two people at Washington Association of Counties; commissioners are getting together in Vancouver the second week in November. He will contact Pierce County and see if the two counties could brief western commissioners on the committee's work. This will serve as a beginning to discussion and give counties contact names for people to communicate through.
 - Tom Clingman: We asked several agency staff members to be here today to hear what you have to say. If you have specific questions that are becoming a stumbling block to dialogue, feel free to ask them. Otherwise, we will note your questions and revisit them in a future meeting.

Quick Announcements

- New travel reimbursement policy (Candice Holcombe, Ecology): To encourage alternates to attend committee meetings and stay up-to-date with committee work, committee staff has revised the travel policy to allow alternates to be reimbursed for travel expenses for any committee meeting they attend. The policy had previously been to reimburse alternates only when they were standing in for the principle member.

Committee Business

(Sally Toteff, Facilitator)

Approval of 8-27-07 Meeting Notes: Comments and approved changes.

- Nick Jambor: Please clarify the comment from the facilitator saying the committee doesn't seem to want more experts coming in with technical presentations.
- Facilitator: We will amend the notes to say the committee doesn't need any more experts to give detailed presentation right now.
- Bruce Wishart: A number of people, including me, want more information on Corps permits.
- (Several comments were made on scope of the Committee's charge. These are included in the following item for clarity.)
- Nick J.: During Bryan Harrison's discussion, Eric Hurlburt brought up right to farm laws and protection from nuisance; I would like to see that reflected in the notes.
- Eric Hurlburt: It is in the meeting notes, along with a citation I provided to Ecology after the meeting.
- Yongwen Gao: Please note that Sea Grant pre-proposals are due October 29th, not October 26th. (Staff will change the date in the meeting notes.)
- Ward: Please number pages on meeting notes.
- **Consensus: Candice will update notes with committee comments and post them to the website.**

Discussion on Committee responsibilities under HB 2220:

- Tom C.: We have reserved time a little further into the agenda to examine this language in detail.

Distribution of revised ground rules.

- Facilitator: Does the committee want to take time today to approve the revised ground rules, or come back to the next meeting after reviewing them in detail and then approve?
- **Consensus: Will wait to approve at next meeting so everyone has time to review.**

Follow up on last meeting:

- **Report from Ecology committee staff (Tom C.):**
 - **Whether or not meetings will include public comment:** There will be a comment period at end of meeting. Ecology is sponsoring it, and the time will be open for responses, comments, and suggestions. We will take notes on comments and they will be included at the end of meeting notes. If a committee member needs to leave before the comment period, they can read the public comments in the meeting notes.

- **How Ecology will respond when consensus not reached:** This is an advisory committee to Ecology. We're looking for consensus as much as possible, and the views you bring us will be helpful whether consensus is reached or not. It is inevitable that there will be a diversity of views; we will consider them all. WDFW will consider the committee's views when fine-tuning the part of the permit process they are responsible for.
- **Comments:**
 - Jeff Dickison.: It is good to know at the outset how members' ideas will be treated. This speaks volumes to how we will be heard, and how it will be reflected in the outcome.
 - Diane C.: We may come up with a variety of ideas, but we have a clear mandate from the legislature. I submit that we should stay focused on what the legislature asked us to do in order to get through our work.
- **Status of RFP process, posting of literature review, etc. (Jeanne Koenings, Ecology committee staff):** Sea Grant issued the Request for Proposals last Tuesday (October 9). The dates are a little different from what they thought they would use. Sea Grant will post the revised literature review on their website. Pre-proposals (with list of reviewers) are due Oct 29. By Nov 9 they will request full proposals, to be due Dec 10. The rest of December and January will be spent on proposal review and evaluation. They intend to negotiate start dates around Feb 18.

COMMITTEE DISCUSSION AND ROUND TABLE

Facilitator reviewed general brainstorming principles.

- Eric H.: Can we please clarify whether these apply to geoduck aquaculture only, or shellfish aquaculture in general?
- Tom C.: Let's turn to the statute, Section 4 which identifies the two basic tasks of the committee:
 - (2) *The shellfish aquaculture regulatory committee shall develop recommendations as to:*
 - (a) *A regulatory system or permit process for all current and new shellfish aquaculture projects and activities that integrates all applicable existing local, state, and federal regulations and is efficient both for the regulators and the regulated; and*
 - (b) *Appropriate guidelines for geoduck aquaculture operations to be included in shoreline master programs under section 5 of this act. When developing the recommendations for guidelines under this subsection, the committee must examine the following:*
 - (i) *Methods for quantifying and reducing marine litter; and*
 - (ii) *Possible landowner notification policies and requirements for establishing new geoduck aquaculture farms."*
- Nick J.: How do you define "new shellfish aquaculture"? Does that mean something the shellfish industry has never done before and may do in the future (such as new techniques) or just establishing a site that hasn't had shellfish aquaculture on it in the last 150 years?
- Tom: The permit processes should include all new and existing shellfish aquaculture activities. The phrase "local, state, and federal regulation is intended, I believe, to speak

to the processes and regulatory frameworks that exist. The committee has no responsibility to revise regulations, just to integrate them and make them efficient.

- Nick J.: Does anyone at the table read this differently than Tom is interpreting it?
- Diane C.: Our perspective in helping to develop the legislation was that we were unclear where the Corps of Engineers was, what was happening to geoduck permitting. We looked at the legislation as a way to make sure that whatever emerges is streamlined and efficient. We were looking at existing regulations only.
- Tom C.: For example, if there are notice processes for two permits, we can recommend to get those on same schedule. It might require a change to forms, revision of administrative processes, or amendment to statute to change deadline periods to match up.
- Tom C.: Section 2b: Geoduck aquaculture guidelines for SMPs will need to suggest methods for siting, operations, quantifying and reducing marine litter; possible landowner notification policies and requirements for new geoduck aquaculture. In other words, Task 3 is focused on geoduck aquaculture, and Task 1 is all shellfish aquaculture. But keep in mind that there might be something that committee comes up with in which the best way to achieve efficiency in Task 1 is to make recommendations to local governments through the SMP Guidelines on how to handle shellfish aquaculture.
- Bruce W.: I wouldn't be comfortable recommending any efficiencies that would undermine the effectiveness of existing protections. Are we all on the same page with that?
- Diane C.: I agree. I'm still confused on differences between Task 1 and 3. I believe the legislature intended to specifically divide the two tasks.
- Nick J.: Is the committee tasked with making a rule amendment to the SMP Guidelines?
- Tom C.: Explicit in the bill is the requirement (Task 3) that the committee provide recommendations to Ecology on rulemaking for SMP Guidelines with regard to specific siting and operating guidance on intertidal geoducks aquaculture. You may also have recommendations that WDFW or other agencies need to follow up on, but they are not obligated the way Ecology is by the bill.
- Bruce W.: The language in the bill says Ecology **shall** (i.e., must) develop rules for SMP guidelines on siting and operations.
- Diane C.: Yes, the language says "shall", and it is specific to geoducks, not to all shellfish aquaculture. In the meeting goals at every meeting we ought to revisit the legislation; it is very specific on our charge.
- Laura Hendricks: We did intend to have the opportunity to review geoduck aquaculture especially, but not exclusively—also shellfish aquaculture more broadly.
- Nick J.: What I'm reading, I don't see the brainstorm exercise as being part of our charge. Would it be easier to work backward and come up with specific suggestions, then work outward from there to the more general? Maybe starting out holistically is not the best approach.
- Eric H.: Looking aback at how the legislation came about, the industry wanted to look at inefficiencies in permit system. I don't think it was about writing new environmental regulations, just integrating the existing ones. I think there is real benefit in looking at things more broadly first.
- Facilitator: Ecology was thinking it would helpful to step way back and look at the most fundamental concepts and common ground, to ask what's working and what's not. For example, existing systems have different schedules and are unpredictable. If this

brainstorm for general ideas isn't the approach that works best for the committee, we can certainly talk about approaching it in a different way.

- Bryan H.: I think general-to-specific is a sound approach. Without context, the details don't mean anything.
- Diane C.: Jumping right in is a good approach.
- Facilitator: Does everyone agree we should just jump in and see how it goes answering the questions set out at the last meeting? (**Agreed.**)

Brainstorm:

What are the environmental functions and values we want to protect?

- Diane C.: We do not believe the question of "functions and values" is phrased well. Each piece of relevant legislation identifies the functions and values it sets out to protect. It's not our place to identify those, and that will not get us down the road. This has already been decided in the SMA and other legislation. And the question of how to protect them is already laid out in WAC.
- Blain R.: I appreciate what you're saying with regard to functions and values, and I think you're talking about the big picture. I think this exercise is geared more toward identifying permitting needs and gaps (for example providing refuge, eelgrass beds, and others).
- Bryan H.: We need to acknowledge that there are existing goals so we are aware of them. We don't want to lose track of that.

What are the functions and values we want to protect?

- Habitat function
- Sea grass
- Greater community/socioeconomic value
- General public policy/ land use
- Environmental impacts
- Aesthetics near neighbors and upland property owners
- Business continuity and expansion
- Water quality
- Air quality
- Geomorphology
- Healthy shellfish industry
- Diggable Puget Sound
- Forage fish issues, specific aquatic vegetation
- No net loss in marine environment is hard to define (geoduck tubes or oyster bags can lead to an increase in biodiversity, but human activity still has an impact)
- Economic development for coastal community
- Food web/ecological carrying capacity of Puget Sound
- Social carrying capacity/residential impacts (especially where aquaculture is new)
- Cumulative impacts of density of shellfish
- Nearshore homeowners
- Sustainable natural resource industries

- Sustainable food production
- Property rights
- No net loss of farmland, including shellfish farmland
- Ability of industry to adjust to market, implement innovation, develop new products, etc.
- Issues of noise, water access, land access, light, debris.
- Regulatory flexibility and predictability together.
- International trade balance
- Economic return to landowners in addition to industry and workers
- Attract capital, invite investment
- Cultural value: indigenous perspective on the value of shoreline, treaty rights. (For example, calibrating no net loss calibrated to 1885, not last week.)
- Salmon survival as indicator species
- Overall quality and health of Puget Sound

Which of these functions and values are best protected through permits?

Bruce W. : We need to consider that permits are not designed to protect economic development; they're designed more as a check on it.

Jeff D.: There is a lot on this list that is not regulated or protected under the sweep of the environmental permits we're talking about. While permits are often a check on economic development, in theory they create a stable economic environment under a known set of restrictions and conditions on your activity, and that is actually good for economic development.

Diane C.: I'm a little uncomfortable with this process in that I don't know where it's going to lead. Many of these things are planning efforts and through that effort we have protections. That's not how we're characterizing it. We're looking at permitting. Are we looking at this list to say here are the functions and values we want to protect? What is the outcome of this exercise, what will we do with it, how will it be corrected?

Bryan H.: I see this whole list as having broad connections with planning and permitting. We can look at the list and ask which of these have to do with planning or permitting, which ones duplicate another or could be grouped together to find categories.

Diane C.: The list is not comprehensive. What about chemical processes on the shoreline? We simply don't have the knowledge to consider all functions and values.

Bruce W.: We need to look at GMA and SMA: why were they created, what is the purpose of the permits that came from them?

Bryan H.: On the coast, we've seen for 20 years the economy crumble and poverty increase. Economic development is very much tied to what aspects you choose to give a regulatory "nudge".

Nick: How many of these values and functions are already protected through permitting? We're not starting from scratch.

Consensus: Let's move directly to the question of what's wrong with the existing permit system.

What does NOT work in the current regulatory system?

- Enforcement.
- There needs to be some protective guidance on how to approve permits that are reasonable and effective. We have that for many species, but not in the shellfish arena.

- Lack of basic science on environmental impacts on some of these activities (this is being addressed through Task 2).
- Lack of data on existing sites and of broader regional informational on critical habitat; presence or absence of eelgrass beds, feeder bluffs, etc.
- Lack of mapping in baseline surveys. Just because it's not mapped doesn't mean it's not there. The data is not complete.
- Some other states have water column leases, limits on percentages of water column you can use at one time. Washington hasn't explored that option.
- Unpredictable timeframes; interferes with business.
- Inconsistency between intent and implementation at the permit level
- Fourteen different county plans, and most of them are outdated. There is a real disincentive to address aquaculture under current SMP Guidelines. (It would have to be through a comprehensive update, and that's a huge undertaking.)
- We write a large number of regulations with the expectation of enforcement. It's simply not possible that the level of enforcement that jurisdictions fund is able to deal with the number and extent of regulations we write.
- Conflicting conditions and regulations.
- Need to remember the difference between planning and permit processes. Local governments will revisit what has (or has not) been decided at the planning level at the permit level. The result is that planning is taking place on a project-by-project basis.
- Litigious environment.
- Lack of funding for enforcement.
- Some boilerplate permits have no site-specific conditions. Can be too general.
- Permit review is multilayered between local state and federal; each layer has a different timeline. Who goes first? Everyone is waiting for the other to go first.
- Lack of funding for permit review—it can take 12-18 months for a permit to be reviewed.
- Lack of input from state agencies—they don't take the opportunity to comment on local permits.
- Lack of notification to homeowners and to adjacent property owners.
- On the environmental side, we may have a lot of forms, but we have seen few environmental conditions for permits.
- Permits do get very specific in detail, but not specific to a site. The conditions are very generic.
- We can't lose sight of the big picture: if shellfish aquaculture were really bad for environment, it would have revealed itself long ago.
- Facilitator: Can anyone describe how you envision the outcome of Task 1? New regulations?
- Could range from two agencies using one form, to making sure we don't require both permits if not necessary.
- Sequencing of permits – have to get 1 before 2, before 3. Right now it takes too long. Couldn't they all be worked on together?
- With Nationwide 48, there are conflicts between national, regional, state conditions. We're confused. We can't tell which environmental conditions are going to be enforced.
- Some other states have restrictions on how many feet from residences shellfish aquaculture must be sited (in Florida, it's 1000 ft) and restrictions on water column use.

The local government designates aquaculture areas; they're not determined by the industry. Trying to find ways to mitigate conflicts.

- This can all be summarized by the fact that the current rules were written for existing/historical aquaculture. We now have a new kind of aquaculture, and it's moving into areas that have not historically been aquaculture areas.
- To deal with future development on the coast, we need to remember that aquaculture is one of the things that helps to keep the water clean. How do we allow for both incoming residential development and the growth of shellfish industry?
- Politics are playing more of a role in permitting projects than is science; this leads to business uncertainties, litigation, etc.
- Some production timelines don't match permit renewal timelines.
- The standards we apply here and the charges implemented need to be applied across the board, not just to aquaculture (e.g., piers and docks).
- Requirements to obtain shoreline permits are ambiguous.
- Local government prerogative to customize SMPs is leading to lawsuits, costing a lot of money to shoreline property owners.
- Definition of "structure"; either aquaculture is a permanent structure or not. That needs to be decided.
- Casey: A structure under Nationwide 48 includes docks, tubes, net structures – anything a boat can bump into). I propose that the Corps make a formal presentation of greater length to the committee to explain our role and permitting process? About a one-hour presentation with Q&A to follow. **Consensus: Yes, this would be helpful. A member requests something succinct and visual to look at.**

What does work in the current regulatory system?

(Tom C. distributed a summary diagram of existing permits.)

- Incentives, BMPs.
- Non-notification of adjacent property owners.
- Focus is site-specific.
- Current process with Corps for Nationwide 48 works: significant public comment, consultation and biological review, has all the elements we've identified here are important to successful permitting.
- Local government prerogative to set up their own SMPS, their own system based on uniqueness.
- Habitat conservation plan is being done for state aquatic lands.
- Bush-Callow act tidelands "zoned" for shellfish aquaculture.

Possible solutions: What can be done to correct problems?

- Jeff D.: Would be willing to exchange oversight of Aquaculture for removal of single-family residence permitting exemption in SMA.
- Laura: Water column leases
- We could look at alternative approaches to regulations (e.g., BMPs, incentives, disincentives).
- Could range from two agencies using one form, to making sure we don't require both permits if not necessary.

- Dave R.: Normalize submittal requirements for everyone.
- Bryan H.: Get a lot of information, training, research, etc. to local governments, and provide training resources for local planners.
- Eric H.: Statewide programmatic EIS, BMPs, generic data, then at county level it becomes much more specific.
- Tom C.: Programmatic EIS vs. individual EIS: DNR leasing program could do a programmatic EIS that looks at an entire planned leasing program. Now they've left it up to the individual applicants; SEPA is supposed to look at the whole picture associated with a specific development proposal..
- Bruce W.: This points to the classic conflict between flexibility and consistency. If you go to programmatic/statewide solutions, you won't have flexibility at the county level.
- Eric H.: Using a programmatic EIS, would allow for projects to get by with a simple checklist if the project falls under the same parameters as the EIS.
- Could issue long-term permits (for stability), with adaptive management component built in. Would offer the stability of a long-term permit, but there is a comfort level on the regulatory side that we will have re-review and incorporate new science, adaptive management, etc.
- Tom C.: If we don't build adaptation into the process, we will not be able to make use of new science on the ground.
- Bruce W.: If you have a real adaptive management, you don't have certainty or predictability. This approach might create false expectations.
- Laura H.: We would have to make sure the long-term permit has enough review provisions in it. If the industry is moving into residential neighborhoods and then the permit is adapted, it will affect residential property owners.
- Tom C.: Then what about bulkheads? They were not seen as a problem when the SMA was passed. How do we make these corrections as scientific understanding increases?
- Laura H.: We should allow new aquaculture only in areas that are known to be acceptable and appropriate. We shouldn't be going in to move or shut down their "factory" or move or alter residential development after the fact.
- Tom C.: Let's keep in mind the lesson of renewable NPDES permits for wastewater treatment plants. These have allowed communities to meet their wastewater treatment needs, while raising the standards for discharge over time to address environmental issues.
- Nick J.: When property is sold that has an aquaculture designation, buyers would need to be aware that it's mapped as a aquaculture zone and therefore may have near-shore aquaculture in the future, so there are no surprises. May even consider more protection between aquaculture and residential development, perhaps they would be required to modify their septic system upon installation,
- Tom C.: In addition to aquaculture zones, could have other government programs lined up to help protect water quality– higher standards or higher oversights (e.g., septic), closer review cycles.
- Nick J.: Perhaps there could be different standard in areas where residential development is already present.
- Diane C.: Using NPDS process as a model may not be appropriate. It does tend toward elimination of impacts; also, there are areas that are already "zoned" for aquaculture, like

Bush-Callow lands. When we're moving into new areas, it is for geoduck aquaculture, not broader shellfish aquaculture.

- Bruce W.: We're not dealing with cumulative impacts very well. One possible solution would be looking at full-buildout analysis (i.e., here's what happens when we completely maximize the land for these uses).
- Tom C.: Could use the provision in SMP Guidelines for cumulative impacts analysis.
- Laura H.: My understanding is that Bush-Callow lands were dedicated for oysters, not for broader shellfish aquaculture.
- Diane C.: That was revised in 2004.
- Laura H.: There was no public input; no one knew about it.
- Diane C.: Regardless, that law has been officially revised.
- Tom C.: The distinction between urban/rural shorelands is dramatic and begins about 20 miles west of Olympia. How do we accommodate eventual growth in coastal communities while preserving natural resources?
- Bryan H.: I would like to have state shoreline planning folks talk about this from their perspective, tell us what works and doesn't within the 14 counties' variations.
- Comments on the Shoreline Management Act were requested from Ecology staff observing the meeting.
 - Perry Lund (Ecology SWRO): The best—and worst—thing about the SMA is the individual authority is gives local governments, especially with regard to an industry that spreads across many regions, like shellfish aquaculture. If counties have substantial development permits or exemptions, Ecology doesn't hear about it. If there are permits, we'll get involved. I'd like to see some kind of uniform, minimum guidelines we could set forth for local governments. It's different because of the local control over so many things we deal with in shoreline management. The big difference I see is that water moves around: decisions made in Mason County will have an effect on other counties. We should take that into account and look at it a little differently because of this.
 - Jeffree Stewart (Ecology SWRO): I've been working with Jefferson County on their SMP. We've been working on the question of what level of regulation is appropriate at the local level? This group could be helpful in gap analysis. Where is shellfish aquaculture already being effectively regulated, and how could local governments play a more effective role through their SMPs?
 - Matt Niles (Ecology HQ): If you can sort out how you feel about whether it's appropriate to have standards varying from one county to another—and if so, to what extent—it will be very helpful to us. The outcome will look very different depending on your answer to that question.
- Bruce W.: There will be both state and local interests in shorelines. We need to rethink where that line is, what SMA intended, before we start making decisions.
- Diane C.: I think it's relevant to have that discussion, but I'm not comfortable with the idea of formally reexamining the line between state and local interest. The variability in the SMA is by design.
- Eric H.: Water quality needs and factors vary by county.
- Bryan H.: Rather than drawing a new line, my view of the state input might be to better refine the policy statements and what locals must examine before they make a decision. If we can work on what parameters to protect and what questions locals must examine

and answer before they make decisions, it's going to help us make better decisions and be more accountable for those decisions. Raise the bar, but do not move the line.

- Jeff Stewart: We are encouraging locals to be more specific in identifying functions they're trying to protect.
- Bryan H.: Is there any model available for review to define ecological functions, no net loss, etc? If Ecology doesn't define that well and show locals some specificity, how will locals determine they've achieved no net loss?
- Diane C.: I understood that the Guidelines did define ecological functions and best available science. They outline how to do it and what kind of record to keep. It's still flexible within the jurisdiction. It's important to us that the community is part of the planning process.
- Laura H.: I don't feel any industry should be defining the ecological function; it must be Ecology or an independent entity. Once defined, BMPs should be applied within that.
- Jeff Stewart: There is broad confusion about what no net loss means. Everyone wants guidance on this.
- Matt N.: The Guidelines do intentionally give locals discretion to define functions as they see fit. There is a general guide, but they are supposed to do their own shoreline inventory.
- Diane C.: The intent of the Guidelines commission was to identify the areas and functions that need protection, and do it by input from community, consultants, BAS.
- Matt: Ecology sponsors quarterly meetings for SMP coordinators to get together and share information.
- Dave R.: Counties may feel it's more helpful to seek input from state agencies rather than other counties.
- Yongwen G.: We need applied science that takes regional differences into account. This could be encouraged by scientific competition.

Summary and Next Meeting (Facilitator):

How did we do today?

- Good discussion of functions and values, we gave it some context.
- We found large areas of agreement, smaller areas of competing viewpoints.
- We had a productive and active discussion of what works, what doesn't, and possible solutions.

Future meetings: What will help the group in grappling with possible solutions?

- Corps presentation on Nationwide 48, individual Corps permit.
- Discussion about SEPA, JARPA (also Casey and Loree)
- Examples of permits (locals permits, etc.). It would be helpful to see an actual permit.
- Laura H. offered to provide examples of permits from other states
- Gap analysis. (Can Tom put this together?)
- The county summary Tom provided today might be helpful to discuss on an agenda.
- CTED discussion of the GMA could be useful. CTED has a lot of experience in dealing with the land-use conflict under GMA. It might be useful to include aquaculture lands as part of the "resource lands" that each county must designate under GMA. CTED is

revising guidance right now on resource lands. Now is good time to comment to them if you'd like to.

- Examples of no net loss, and guidance from Ecology staff on this topic.
- Some people are urging that aquaculture be considered as agriculture; what would that mean?
 - Small farms are often regulated by “farm plans”. Farm plans include site specific BMPs for a particular farm’s soils, crops and operational needs. It’s been suggested that some aquaculture operations might be best regulated using a “farm plan” approach.
- Diane C: Could we get something from Ecology to show where we stand right now, so we know where to go from here?
- If agency presenters are going to come, it would be helpful to get summary of their presentation ahead of time.

Roundtable/ Final Comments:

Eric H.: We’re moving forward, even if it is at glacial speed.

Diane C.: Regarding representation, the shellfish industry is caucusing on a weekly basis with other industry folks to make sure we’re getting the breadth of the industry represented. That’s our understanding of what each representative should be doing.

Yongwen G.: Thank you everyone for your hard work on this. I am learning a lot.

Dave R.: Clarification on report due to legislature in December. Ecology is responsible to provide a progress report by December 1.

Public Comments:

Peter Downey (Jefferson County Commission Chair, Discovery Shellfish, and Pacific Shellfish Growers Association): It is important to recognize that the SMP Guidelines allow for large variation in county prerogative. Each county is different, both economically and in terms of resources. What works for one county will not work for another. Whatever recommendations this body comes up with must have the flexibility to allow each county to get where it needs to be.

Paul Sparks (Washington Council of Trout Unlimited): The committee put forward some excellent ideas on possible solutions today, but I do have some concerns. There is a real pull between local needs and problems associated with a resource that belongs to everyone (for example, Chinook Salmon don’t stay within a single county). Local politicians are always nervous about the next election cycle, and that doesn’t produce good long-term planning. The needs for adequate regulation cannot be achieved with the level of local autonomy that the committee is discussing.

Meeting adjourned.