

SHORELINE MASTER PROGRAM PROVISIONS RELATED TO AQUACULTURE – BRIEF SUMMARY

This is a brief summary to compare the range of SMP provisions for aquaculture. It should not be used for permitting actions.

	Jefferson (1993)	Pierce (1974 Policies; 1998 Regs)	Kitsap (1999)	Island (2001)	San Juan (2002)
Priority use in suitable locations	Yes when “those operations do not materially interfere with existing activities or degrade natural resources.”	“Shoreline areas having the extremely high prerequisites qualities for aquacultural uses should be preserved...to protect PC’s aquacultural potential.”	Similar to other counties.	“Recognition shall be given to the fact that this emerging economic use is still in experimental stages and deserves some latitude in development. This recognition in no manner or form alleviates responsibilities of aquacultural enterprises in maintaining and providing for pollution-free, aesthetically pleasing and undamaged shorelines.”	“ When consistent with the control of pollution and prevention of damage to the environment, aquaculture activities are considered a priority use along with single-family residences, ports, water-dependent industrial and commercial developments...”
Conflicting use policies	Focus on fishing, navigation and recreation	“Navigational access of upland owners, commercial traffic...visual access of upland owners and general aesthetic quality...”	Identifies need for data collection and monitoring for those “AQ practices (that) are relatively unknown in state waters.”		Avoid AQ conflicts to “navigation, moorage, fishing, log rafting, underwater utilities and active scientific research” or “significantly degrade aesthetic qualities.” Protects AQ from “incompatible uses which may seek to locate nearby.

					Demonstration of a high probability...of damage or destruction” to AQ “shall be grounds for denial of that use.”
SDP	Seems to be required	Required for most AQ	SDP for “geoduck and other mechanical or hydraulic clam harvesting” at “existing commercial areas or waterward of public lands.”		Required
CUP	Mechanical clam harvesting, excluding geoduck harvesting with handheld equipment.	Required in Conservancy Env when land based structures are proposed	CUP and SDP for most aquaculture	Required for proposals either inside or outside an Aquaculture District.	
Exempt from permit	n/a	“Geoduck harvesting is permitted outright” (Appears to intend harvest of native stock)	n/a	n/a	
Level of detail	Significant detail on required on species, est. harvest, predator control, plans to minimize noise/light/odor. Specific noise limit.	Basic issues are listed.	Significant detail. May require water quality study or noise level assessments. Eelgrass beds defined (ex. “3	Very detailed. Hydraulic or mechanical harvesting (except wildstock geoduck) “shall not be allowed in subtidal or intertidal areas with more than 15-20% fine	High level of detail on monitoring, location, predator control, ell grass protection. Many provisions address net pens rather than

			turions per ¼ M in summer.”)	sediment (63 microns or smaller) until it can be shown that the method or equipment can ensure immediate and sustained trench or hole refill; that there will be minimal significant adverse impacts on natural systems and that water quality standards are met.”	intertidal AQ.
Unique features	(1) Divides aquaculture into “intensive” (reared in structures and fed); “extensive” (reared in structures but not fed); and “passive” (other aquaculture.)		Bond required (not entirely unique but not common)	Provides criteria and process for designating “Aquaculture Districts” through amending the SMP. AQ involving hydraulic or mechanical harvesting must be within an AQ District.	Specific prohibition on introduction of aquatic organisms without prior written approval from WDFW and comment from director of UW Friday Harbor Laboratories.
	“Visual Assessment Workbook” used to evaluate floating structures				

(Table 2)	Snohomish (1982)	Clallam (1983)	Thurston	Mason (2006)	Grays Harbor (1978)
Priority use in suitable locations	AQ is of “state-wide and national interest.” “Protect areas suitable for aquaculture from incompatible and preemptive development by other uses having less critical site requirements.”	Unique locational requirements of AQ should be given “special emphasis and consideration.”	“Agricultural use of areas with high aquacultural potential should be encouraged.” “Proposed uses located adjacent to existing aquaculture areas which are found to be incompatible should not be allowed.	Use priority in areas with high AQ potential. Flexibility to experiment with new aquaculture techniques should be allowed.	“Areas which have the property combination of characteristics needed for AQ should be identified for that purpose.”
Conflicting use policies	Maintain navigation; consider and mitigate aesthetic impacts.	“Formative and experimental nature of aquaculture technology” recognized; new methods should be in “designated areas only.”	Consider and minimize view impacts.	Potential aesthetic impacts should be recognized.	Navigation and aesthetic concerns noted.
		“Particular attention (to) possible effects that AQ practices may have on the long term ecological stability of the aquatic ecosystem, and any secondary detrimental effects could arise...”			
SDP	Not clear in SMP. AQ is “permitted” except as described in CUP.	SDP for mechanical or hydraulic harvesting, or structures (fixed or	SDP for new or expanded. (Not specific about permits otherwise:	Not explicit. Non-floating AQ is “permitted” use	Not clear on permitting

		floating)	“All types of aquaculture are allowed ” except in Natural Env.)		
CUP	In Suburban Environment, CUP required beyond “home aquaculture” (production for own use.) Also in Natural Env.		CUP in Natural Env.	CUP for floating AQ or gravel enhancement over 1000 cubic yards	
Exempt from permit	Not clear whether AQ is exempt	AQ not involving mechanical or hydraulic dredging	Designation of AQ District for uses in place 5/21/76 (adoption of SMP.) Also changes in species etc within AQ District.	Not explicit (see SDP)	
Level of detail	Limited detail	Fairly specific.	Very limited detail on specific standards or conditions. Basic issues are identified.	Relatively brief but covers wide range of issues to be considered.	No detail.
Unique features	Areas with existing or high potential for AQ shall be protected from other uses within a one-mile radius “aquaculture zones”).		Aquacultural Districts can be designated by Planning Director. Basic criteria are listed.		

(Table 3)	Pacific (1999)	Whatcom (Proposed 2007 SMP Update)	Skagit (1995 amendment on AQ)		
Priority use in suitable locations	Yes	Yes. Preference for forms of AQ with lesser env and visual impacts; avoid structures or pesticides.	Yes		
Conflicting use policies	Basic policies	Experimental AQ projects (“methods unprecedented or unproven in WA”) should be limited in scale (5 acres) and approved for a limited time (3 year). AQ causing net loss of shoreline ecological functions shall be prohibited.	Avoid where AQ would “substantially and materially” conflict with “established, traditional and historic uses” such as navigation or moorage, but “previous unrestricted recreational use” of water should not be grounds for AQ denial. Also unmitigated significant env impacts.		
SDP	Permit required for AQ “which materially interferes with normal public use of the water...unlimited recreational	“Permitted” use. Not explicit on SDP requirement (?)	Not specific about when AQ constitutes “substantial development.”		

	navigation shall not be construed as a public use.” Also SDP for facility construction or waste disposal.				
CUP			Required when non-native species “may adversely impact ecological balance of surrounding area.”		
Exempt from permit	Most AQ activities	?	Requires “written statement of exemption” for new or expanding AQ not subject to SDP or CUP.		
Level of detail	Sparse detail. Herbicide and pesticide use restrictions are specified.	Detailed criteria and operational provisions.	Very detailed. Many specific requirements.		
Unique features		Treaty rights of Lummi, Nooksack and other tribes recognized. Comments on permits to be sought.	Specific provisions for “experimental” AQ.		