

Review of Committee Recommendation Report

Consensus, Majority, Minority

- Is the report supposed to be expressing the range or is it supposed to present some sort of consensus?
- A majority and minority report will not fairly represent the findings of this group.
- We have some discomfort with the use of terms like “some” or “most” of the committee members to reflect where we ended up on these issues. The term “most” implies that there is a majority in favor and that the department should favor that approach. Perhaps it would be better if the department identifies interest groups with various positions rather than use “most” or “some” terms.
- The draft report tends to note member opinions more when they are in the minority. If you poled the group a majority would be in favor of shellfish/geoduck farming as long it is done in a responsible manner.
- Comments on level of detail, whether guidance will be legally binding.

Options on Consensus

- Include only the 15 consensus recommendations in the report.
- List the consensus recommendations first in the report.
- Keep existing approach, change “most” to many to downplay a majority.
- Reduce detail of recommendations made by one or two members.
- Change level of detail?
- Guidance vs. guidelines issue

Overall Principles

- Request for definition of No Net Loss
 - Issue applies to the entire existing Guidelines
- No agreement that the best management practices should be consistent with those developed by the Department of Natural Resources.
 - Editing error

Shoreline Designations

- Did not deal with cumulative impacts, never got a list of current sites.
 - Get WDFW update on aquatic farm registration.
 - Recommend Ecology provide info to local shoreline jurisdictions?
- Use of GMA critical areas designations in light of court decisions
 - Edit for clarity--Local jurisdictions are directed to adopt GMA critical areas into SMPs.

Shoreline Designations (cont.)

- Questions about the sentence “To meet the overall principle of no net loss of ecological functions, geoduck aquaculture should not be allowed in highly sensitive intertidal habitats.”
 - Better language? Tried to avoid list of habitat types.

Siting Language

- “The Committee recommends that geoduck aquaculture be restricted at sites where sensitive habitat features like eelgrass beds or salmon habitat would be damaged.”
 - Comment calling for thresholds
- “A baseline habitat survey may be necessary to determine what ecological features are present at a proposed site.”
 - Comment that surveys can be expensive
 - Comment that the draft downplays the importance of this issue.

Siting

- First consideration should be shellfish certification.
 - Edit
- Is it in the best interests of Puget Sound to put high density upland development in front of geoduck farming?
 - No change

Edits

- Edits to introductory sections. (also from Ecology staff)
- Edits to description of SMA
- Edits clarifying WDFW's shellfish transfer permit program
- Edits to correct range of recommendations and attributions
 - Consistency with DNR BMPs
 - Vessel mooring (oppose, not propose)
 - Buffers at property lines
 - Tractors
 - Pesticides

Other Recommendations

- Legislature should give Fish and Wildlife the authority to use their expertise in developing regulations for the aquaculture industry.

Position Statements

- Having shellfish farming is essential to maintaining the health of Puget Sound and remove nutrients.
- Support guidelines that limit operations that would disturb marine birds.
- Regulations must include setbacks from adjacent property owners.
- Recommendations don't protect adjacent landowners.

Position Statements

- Ecology needs to develop rules for geoducks that will ensure compliance with WAC 173-26-241(3)(b)). That is, the guidelines should require that local government SMPs updates contain adequate policies and regulations to ensure siting and operations for geoduck aquaculture does not result in: a net loss of ecological functions, adversely impact eelgrass, water quality, or critical areas habitat. The guidelines should include an approval option that will accommodate a baseline survey, comprehensive review of potential impacts to shoreline critical areas, attachment of siting and operational standards to avoid impacts and mitigation measures to ensure no net loss, and enforcement and monitoring provisions to ensure compliance.

Next Steps

- Ecology will do a new version of the Recommendations incorporating the Committee comments.
- Another review by Committee members?
November 17-24.
- Final Committee report will be attached to the Report to the Legislature.