From: Brian Sheldon
To: ECY RE Shoreline Rule;
Subject: SARC SMP rule E0004
Date: Thursday, September 16, 2010 6:37:48 AM

Hello Cedar,

My name is Brian Sheldon and I would like to provide comment on the proposed amendments to the SMA WAC in regard to aquaculture. Can you please tell me where I can find a redline version of the current WAC so I can see how the proposed changes alter current language. I've looked on the website, but can't seem to locate the actual markup draft.

I have looked over some of the draft language and in general find it offensive that the draft I did see clearly is intending to reduce aquaculture to an activity no better that upland development. The legislature recognized years ago that shellfish aquaculture is a beneficial use of the states waters, and the proposed amendments seem reduce this value to one similar to the many bulkheads and shoreline homes we see all over the country who are polluting and destroying our estuaries. Given DOEs weak stand in regard to protecting our shorelines I would think that DOE would embrace and encourage shellfish aquaculture for the simple reason that it will help hide the damage done to our shorelines by this weak state SMA policy. In our area on the North Beach Peninsula we are now seeing 1970's type shoreline development where homes are placed right into the salt marsh. When we inquire about this we are told that the applicant filled out all the forms and performed some irrelevant mitigation work. While the reason behind the HB 2220 directives were clearly focused on Geoduck cultivation, these proposed rules clearly apply to all shellfish aquaculture in the state. We have been farming shellfish in Willapa Bay for over 150 years and in that time have been the only long term significant environmental group. Well before agencies began creating a place for themselves in government, shellfish growers were battling to keep the Willapa clean. We took on every land developer and industry that threatened to destroy the bay. Part of this was because our families live here, and part of it was because as farms who rely on water quality we simple can't tolerate pollution in any form. Now I see legislation that goes well beyond the SARC recommendations, which included a great deal of NIMBY influence not backed up by any science. It's clear that personal interests of some DOE staff are reflected in this current draft of proposed changes. I don't mean to imply that DOE in general is not acting in an objective and science based

decision making process, but it is clear that some individual staff at DOE have taken this opportunity to include their subjective and personal agendas into the proposed revision. This of course will leave us no choice but to assure a full review is completed of the change process because our industry didn't survive the last 150 years by allowing personal agendas to be allowed to influence rule making and it is clear that this has happened in many areas of this proposed rule revision.

I wanted to comment on the public meeting scheduled for this rule revision. For some reason DOE chose not to hold a hearing in Pacific County. The shellfish industry is the largest private employer in this county and we produce more oysters that anywhere else in Washington. We produce over 1/6 of the oysters in the United States and large amount of clams. It is unacceptable that given the relevance of shellfish aquaculture in our County that DOE chose not to hold a hearing in Pacific County and I formally protest this action on DOE's part.

Please get me a link to the actual rule markup so I can compare new language to what is proposed for deletion. I ask that this input be included into the record of this issue, and will submit more detailed comments when you get me the redline version of the rule revision.

Thank you,

Brian Sheldon
Nahcotta, WA
North Beach Peninsula