



November 9, 2010

Ms. Cedar Bouta  
WA Department of Ecology  
PO Box 47600, Olympia WA, 98504-7600  
ShorelineRule@ecy.wa.gov

Re: WAC 173-26; Proposed Rule Amendment (primarily within sections 221 and 241).

Dear Ms. Bouta:

As a citizen who assisted in formulating the original Pacific county's shoreline management rules for Willapa Bay in the 1970's and as a shellfish grower and strong supporter of shoreline zoning, I have considerable trouble with the direction the proposed changes to the state guidelines with respect to aquaculture has taken. It would seem, the Department of Ecology (DOE) has gone far beyond what was addressed during the lengthy discussions with the stakeholders and these new guidelines are quite at variance with what was formed and thought to have been agreed upon during those sessions. In general, this surprise update with respect to shellfish farming essentially downgraded the importance of growing shellfish as an activity on the intertidal. The most obvious action was the recommended removal of public and private tidelands suitable for growing shellfish from critical area status. This modification would be against the scientific and historical precedent and could serve to further increase the many negative impacts to the marine environment.

To begin with I am concerned by the Department of Ecology's guidelines forcing a secondary position for shellfish culture relative to other shoreline uses. Viewed from a scientific position the agency demonstrates what only can be considered a lack of credible knowledge of the most basic ecological relationships of the marine shoreline. There seems to be a response by both shore side dwellers and DOE to relegate shellfish farming to an unfavorable environmental status while maintaining and condoning the destructive anthropogenic activities along the shore. It has often been pointed out in regards to survival of young salmon, for example, the essential near shore food chain habitats have in many cases been degraded by human activity and specifically those related to buildings and dwellings near the shore. Ironically it is not unexpected that much of the hostility toward shellfish growers by those same shoreline owners enamored by what they perceive as clean serves to cover up their own deleterious impacts on the marine environment. These residences, business, etc., not only impose long term negative impacts to the vital near shore habitats by building structures such as bulkheads, etc. but from the constant contamination resulting in the runoff from drives, gutters, lawns, etc. Those still on septic systems, even if they happen to be functioning as intended still contribute the nutrients via ground water to cause high levels leading to over fertilizing by nitrogen and phosphate. Our marine species in this important marine area are being lost both physically and by pollution. The creation of sterile nonproductive esthetic beaches or rocky shores often devoid of marine life due to the lack of a diverse habitat and acceptable conditions for growth, feeding and security is slowly destroying much of the marine habitat. Shellfish, instead of being seen as a threat (as a visual affront for example) should be seen as a means of correcting or mitigating the long term damage shore owners are inflicting upon the entire marine ecosystem. That is not the case and DOE seems just as supportive of this naive position as the people along the shore.

A second consideration missed by the oversimplified proposed changes to the Shoreline Guidelines is the fact that all types of shellfish aquaculture are implicated in these onerous recommendations. Shellfish are an unsurpassed nutrient source for humans and demand the highest quality growing conditions. Granted, the intent of the guidelines may have been influenced by the shoreline owners in part to cover their continued self serving abuse of the near shore environment but all type of shellfish farming is wrongly implicated. This is achieved in one misguided section removing the status of shellfish culture from necessary protection of high quality water and habitat. Shellfish create and maintain a quality niche important to the entire habitat. Until those in the department responsible for recognizing the critical role shellfish play in the overall health of the intertidal have an understanding of these interactions they should step back from the formulation of proposals. In addition, it should be an embarrassment to those supposedly overseeing this rewrite as much as it is an affront to those in the shellfish industry and the science community.

A third aspect touched upon by the above is the critical role aquaculture plays in the production of a human food source. I started to write comment to this subject then read the article in the Bellingham Herald by Billy Frank Jr. chairman of the Northwest Indian Fisheries Commission. He says it best.

***Title: Remember Where Our Food Comes From:***

***"The mud and the water have always been a source of food. But when we start to see shorelines and rivers not as***

*places where we get our food, but where we can make money developing property for the best views and highest value, we dishonor the importance of our surroundings. When pollution has gotten so bad that we can't fish or harvest shellfish from our home waters, we start depending on food from other sources, sometimes thousands of miles away. Folks down on the Gulf Coast are going through that right now."*

*"Many people have started to recognize the importance of local food. They are called "localvores," and I think they're on the right track. I didn't know it, but I've always been a localvore. We look for food that comes from where we live. In this place, where rivers run from glaciers and meet the saltwater on great tide flats, salmon and oysters are about as local as it gets. To have these foods we must protect the environment from where they come. That means protecting habitat by fighting for better shoreline development standards and protecting water quality from failing septic systems and lawn fertilizers."*

*"Treaty tribal and non-Indian shellfish producers are on the front line of monitoring and protecting water quality in Puget Sound and along the coast. We can measure the health of these waters by the health of the shellfish that live there. Healthy water produces healthy shellfish, and healthy shellfish is good food for all of us. The problem comes when we stop connecting our food to the place where it comes from. Salmon and shellfish don't come from the grocery store. They come from nature. Our lands and waters are naturally productive, just like salmon and shellfish. All they need is a little help to let them do what they do. We should be celebrating the fact that we can still produce and harvest salmon and shellfish in western Washington."*

*"Everything is connected. What happens in one part of the environment affects other parts as well. Salmon and shellfish are measuring sticks for the health of our ocean and Puget Sound. While we salmon and shellfish managers can control much of what happens on the water, state and local governments need to do a better job of managing what's happening onshore." - Billy Frank Jr.*



**Intertidal Oyster bed on Willapa Bay**

The most disconcerting aspect of these proposed guidelines as alluded to in the above, cannot be over emphasized. DOE has imposed a blatant disregard for the importance of shellfish in creating habitat, increasing biodiversity and species abundance and improving conditions for other marine species. They ignore the science defining how different shellfish species contribute to the richness of the near shore of their bay or sound. This is the travesty of DOE's embarrassing proposal. The cultured shellfish aid in balancing the level of nutrients and minerals and in filtration of water for light penetration. If one were to carefully look at the oyster clusters in the above image numerous species of plants and animals

would be found relative to the barren intertidal in other areas. Then, if careful search were to be made with a microscope an additional assemblage even more numerous would be observed. Here is a place where various organisms can establish attachment or protective cover. Many of these animals and plants form an important segment of the food chain. In their many beneficial roles, shellfish can even aid in the protection and nutrient supply of rooted plants such as eelgrass as can be seen in the above scene. Stabilization of the sand and silt allow the germination and rooting in what would otherwise be very transitory sedimentary layers constantly undergoing natural aggradation or degradation. The growing of shellfish has proven over the past century to be not only sustainable economically but also with regard to maintenance of environmental quality while playing a critical role in the diversity and balance of other marine species. Shellfish create, promote and maintain habitat essential to the health of the marine environment. This is not present on a clean beach of sand or rock and are not part of a bulkheaded shoreline which probably blocks off a once preferred productive near shore habitat.

I am really surprised at the naive and dangerous judgment as projected in these proposed guidelines by DOE regarding aquaculture. To propose removal of shellfish culture areas from the current protected documented scientific status and even go so far as to infer they are detrimental to the surrounding critical habitat is very problematic. It seems the product of an agency unqualified to perform such a task on a unilateral basis. If that were not enough, by essentially promoting certain shore type activities over shellfish culture DOE also takes a further step to downgrade the water quality, biodiversity and species abundance of the state's marine near shore areas.

Sincerely,



Richard L. Wilson, Ph.D.\*  
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Various industry personnel, etc.

\* Present association in: Pacific Coast Shellfish Growers Association (Board Member), Audubon Society, Olympic Natural Resources Center (advisory board member appointed by Governor), Union of Concerned Scientists, Sierra Club, Nature Conservancy, Conservation International (EcoTrust), Sigma Xi.