From: R Bruce Olsen
To: ECY RE Shoreline Rule;
cc: Jerry & Colleen Polley; Joe Chesledon;
Subject: E0028
Date: Tuesday, November 23, 2010 2:26:51 PM

November 23, 2010

Ms. Cedar Bouta
WA Department of Ecology – SEA Program
PO Box 47600, Olympia WA, 98504-7600

Re: WAC 173-26 Proposed Rule Amendment

Dear Ms. Bouta:

I would like to comment on the proposed changes to the State Shoreline Guidelines as proposed by the Department of Ecology.

We have been trying to establish a small geoduck farm on the east side of Hood Head Island, which was given approval by DNR in late December 2006. This project has been held up by the same agency that approved it for the past four years. Our company consists of 9 upland homeowners and the size of our proposed farm will probably be less than 1 acre after following all the rules and regulations by the Corp of Engineers. The farm is to be rotationally planted and harvested to reduce impact on the environment.

As a very small business that would employ people during planting and harvesting we find the hurdles to our starting this farm to be completely overwhelming. Currently, we have spent over $25,000.00 to get to this point in the permitting process with no end in sight due to the arbitrary moratorium placed on this process by both the Department of Ecology and DNR with no state law to govern the actions of this department concerning this issue. Your new regulations will add an additional burden and more dollars to this already long and expensive process. Which leads me to the conclusion that the State of Washington does not really want these farms or their beneficial affects or need any revenue from the operations of these farms.

It is totally illogical to propose that shellfish beds are not critical saltwater habitat or for that matter not water dependent. I have never seen a dry geoduck bed or a dry shellfish bed of any kind. Look to Virginia for a little guidance in regards to shellfish. That state has a program that is giving hundreds of thousands of dollars of materials and equipment to their boatman to plant as many shellfish as possible to help clean up Chesapeake Bay and you know what, it is working. I guess the

Washington State Department of Ecology has a better idea of how to filter and clean the waters in Puget Sound and improve water quality for the raising of food for human consumption. I don't know of anything more critical than this. How much is Ecology's plan going to cost an already bankrupt state? Shellfish farming is always "WATER DEPENDENT".

Another proposed change removes language that identifies aquaculture as a "statewide interest". With a three billion dollar shortfall in the states budget I would think that everything would be of statewide interest. The removal of this language would put aquaculture at a disadvantage to all other forms of use which would eventually reduce the amount of growers willing to risk capital to establish new or improve existing shellfish farms and do away with job creation in this field. According to a statement that was made to the governor by Taylor United recently, one third of the shellfish they grow are exported to the Far East. This makes shellfish of statewide and national importance by reducing our trade deficit. The last I looked the national debt was approaching 14 Trillion Dollars.

I think it is pretty clear in some of the comments made during the open forum concerning geoducks held by the Department of Natural Resources that having a commercial use (i.e. docks for boats) to shade the bottom, kill eel grass and dump untreated sewage is of more importance than a bed of water filtering shellfish is absurd. It is vital that aquaculture should have equal standing to commercial activities from an economic, biodiversity and even common sense point of view.

Department of Ecology's rules should be more aligned with the scope and intent of the governing body of the state of Washington as listed in HB 2220 and follow the recommendations put forth by SARC. To write rules that are not supported in law invites challenges to those rules.

To summarize the proposed rules put small aquaculture farms like ours at risk of not being viable at all. I have never seen so many permits, fees, charges, studies and licenses to do anything in my life. If you want to kill aquaculture in the state of Washington or limit it to major corporations only, you are going about it in the right way. I would urge you to rewrite these proposed rules so that a level playing field can be established.

Sincerely,

R Bruce Olsen
Member
So Happy Farms, LLC