



November 23, 2010

Ms. Cedar Bouta
Department of Ecology
Environmental Planner
Shorelands & Environmental Assistance Program
P.O. Box 47600
Olympia, WA 98504-7600

Re: WAC 173-26 Proposed Rule Amendment

Dear Ms. Bouta:

This letter is providing comments on Ecology's proposed amendment to WAC 173-26. I would like to state up front my unequivocal support for the comments on this rule amendment provided by the Pacific Coast Shellfish Growers Association and other shellfish growers, in particular, Taylor Shellfish.

While my full time job is managing communications and public policy for Taylor Shellfish, Diane Cooper has been Taylor's lead on this particular policy issue.

You may or may not be aware that I also have a shellfish farm of my own in Samish Bay where I primarily culture Manila clams. I also have a few geoduck planted on the farm and have thought about transitioning more portions of the farm from Manila's to geoduck.

As with terrestrial farming, shellfish farmers need that latitude to plant crops that provide the greatest rate of return. As it turns out, inexpensive cooked, frozen Manila clams from China have severely impacted the domestic market for Manila clams. As a consequence I am having trouble selling my clams and have been considering transitioning more of the farm to geoduck. The proposed rule will all but preclude me from accomplishing this as a small business. The cost and process involved in acquiring the proposed conditional use permit is a major impediment.

Relying on Diane and others more immersed in this particular issue, I had not until this weekend reviewed the minimum conditions proposed by Ecology that local governments would have to include the CUP. The 30+ acres of tidelands I own are about 2 miles from shore and out of view from shoreline homes. They were sold under the Bush Act and are by law expressly for the purpose of commercial shellfish culture. Yet here are a proposed set of regulations that will dictate amongst many things, how much area I can plant with seed, harvest, or exclude predators from at any one time. What kind of predator exclusion I can use and how many barges or vessels can be moored at my farm and for how long.

Chuckanut Shellfish Inc.
704 E. Hiawatha Blvd., Shelton, WA 98584
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I could not help while reading these details in the heart of Skagit Valley, ponder how the my terrestrial brethren growing berries would react to Ecology telling them if they could use the plastic tube protectors around blueberry plants or apple trees, how long they could leave them on, how much of their field they could plant or harvest, when and how many tractors they could have in the field and how long they could leave them there.



Nisqually tree protectors



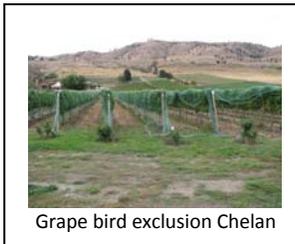
Skagit berry protectors



Windblown berry protectors



Windblown berry protectors



Grape bird exclusion Chelan



Skagit orchard protectors



Chelan orchard protectors



Chelan grape protectors

The tone of the rules and control being imposed by them is even more offensive in light of the Governor's two most recent Executive Orders. Geoduck farming is one of the brightest economic developments to present itself to rural Western Washington in years yet Ecology appears determined to stop it dead in its tracks. Hundreds of jobs have been created. I estimate over \$4 million in annual payroll to those directly employed by it currently. These are new jobs in just the past 10+ years. Along with the jobs has been a tremendous boost to taxes and local business who supply the industry and its employees.

Geoduck are also in high demand for export markets which is an area the Governor is encouraging as well as President Obama. Yet another reason it is baffling why Ecology is so determined to restrict the growth of it.

These are comments I don't believe have been adequately represented by others and which struck me as I read the proposed rules this weekend.

Thanks for the opportunity to provide them.

Sincerely,

A handwritten signature in black ink that reads "Bill Dewey".

Bill Dewey
President

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