

November 20, 2010

Ms. Cedar Bouta
Washington State Department of Ecology- SEA Program
P.O. Box 47600
Olympia, WA. 98504-7600

Department of Ecology
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Shorelands & Environmental
Assistance Program

Re: WAC 173-26 Proposed Rule Amendment

Dear Ms. Bouta,

I would like to comment on the proposed rule changes to the *Shoreline Guidelines* WAC 173-26. I'm very concerned that the Department of Ecology (DOE) has disregarded the recommendations given by the Shellfish Aquaculture Regulatory Committee (SARC). I find it hard to believe that after a long history of Shellfish Aquaculture in Washington State that the DOE would turn their back on scientific research and local shellfish farmers.

The removal of certain language in the RCW that specifically protects shellfish aquaculture would ultimately put shellfish farmers out of business. Changing the definition of Critical Saltwater Habitat from "...subsistence, commercial and recreational shellfish beds" to "...naturally occurring beds of native shellfish species.", is a direct threat to the future of the industry. In addition, changing the definition of aquaculture from "...dependent on the use of the water area", to "*when* it is a water dependent use" also threatens the industry. These changes proposed by DOE not only directly threaten the future of the shellfish industry, but also the small businesses that rely on the income generated from that industry.

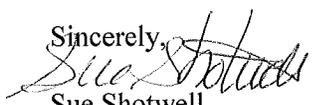
My family came to Washington State in 1970 to farm shellfish in the last pristine estuary in the world. We were taught hard work and how to make a decent living. After my brother and I both graduated from WWU with BS degrees we returned to the shellfish industry. My brother owns his own shellfish company in Willapa Bay. I have a degree in Marine Biology and manage a shellfish farm for The Nisqually Tribe in Puget Sound. I believe we were both blessed by growing up in such surroundings. People who aren't exposed to their environment tend to have a disassociation with that environment. DOE rule changes confirm that belief.

The state of Washington is a leader in shellfish production. This is an achievement that every citizen should be proud of, especially our leaders in state government. Other states that have a shellfish industry are proud of that fact and do what they can to promote and protect shellfish aquaculture. If DOE continues with the rule changes, the people of the Northwest will no longer have local fresh seafood.

Please reconsider the DOE rule changes and act on the recommendations given by SARC.

I would like to quote Billy Frank a prominent leader and Elder of the Nisqually Tribe

"Treaty Tribal and non-tribal 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."

Sincerely,

Sue Shotwell
Shellfish Biologist