

**From:** [Margaret Barrette](#)  
**To:** [Lubliner, Nathan \(ECY\)](#)  
**Subject:** comments - general permit for Z. japonica management  
**Date:** Thursday, February 13, 2014 10:05:53 AM  
**Attachments:** [japonica\\_permit\\_clams\\_021314.pdf](#)  
**Importance:** High

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Attached, are comments from the Pacific Coast Shellfish Growers Association regarding the general permit for Z. Japonica management. Please let me know immediately if you have issues accessing the file.

Thank you for the opportunity to provide comment. If you have questions or need additional information, please contact me directly.

**Margaret Pilaro Barrette**

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February 13, 2014

Mr. Nathan Lubliner  
Washington State Department of Ecology  
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Submitted by e-mail - [nathan.lubliner@ecy.wa.gov](mailto:nathan.lubliner@ecy.wa.gov)

Dear Mr. Lubliner,

The Pacific Coast Shellfish Growers Association (PCSGA) was founded in 1930 to represent the interests of shellfish growers in the states of Washington, Alaska, Oregon, California, and Hawaii. PCSGA works on behalf of its members on a broad spectrum of issues, including environmental protection, shellfish safety, regulations, technology, and marketing. Its Washington members grow a wide variety of healthy, sustainable shellfish including oysters, clams, mussels, and geoduck, and they are very concerned about the negative impacts of the *Zostera japonica* infestation on their farms. Because of these concerns, PCSGA appreciates the opportunity to comment on the proposed General Permit for *Zostera japonica* Management on Commercial Clam Beds in Willapa Bay.

The presence of *Z. japonica* is increasing rapidly, particularly along the Washington Coast. First an issue for Willapa Bay, this invasive plant has aggressively worked its way into Grays Harbor and Puget Sound. The infestation of *Z. japonica* is negatively affecting natural tidelands, natural setting and recruitment of seed. In addition, the presence of *Z. japonica* is known to reduce shellfish meat yield and increases predation of crops.

Shellfish farming along the Pacific Coast has a rich 150-year history and is critical to coastal counties, such as Pacific County as it provides much needed family-wage jobs and local tax revenue. Additionally, the production of American shellfish helps reduce the amount of foreign seafood entering our markets. Our country's current shellfish production cannot meet our nation's demand for shellfish. This unfortunately means that an increasing amount of foreign seafood is being imported into the United States – seafood produced often without high standards for human health or environmental sustainability.

I strongly encourage Ecology to issue a final permit that is aligned with the agencies' requirement to minimize risk of environmental degradation, while at the same time creating a reasonable and simple permit structure. In developing final permit language, I respectfully ask Ecology to consider the following:

1) The draft permit has a requirement that a 10 meter buffer be implemented around property boundaries. Such a buffer poses an immediate economic loss to shellfish growers in that the buffer area would be sized based on the physical area and shape of a specific bed. The state's goal was to consider buffers related only to protecting *Zostera marina*. Field data shows that, from an extremely conservative perspective, *Z. marina* can be protected with a six meter buffer. PCSGA requests that if a buffer is included in the permit, that buffer be limited to six meters and that it only be a buffer between property boundaries and significant off site *Z. marina* areas.

2) The proposed permit allows abutting shellfish growers to treat up to their respective property lines as long as both growers are acting to control *Z. japonica*. Control should be allowed up to the property line

between shellfish beds if any participant is treating. If the intent is to control a noxious weed on commercial clam beds, then a buffer should not be required between shellfish beds.

3) Ecology has limited the draft permit to controlling *Z. japonica* as a noxious weed only on commercial clam beds. However, the data regarding the impacts of *Z. japonica* on shellfish indicates that these impacts are occurring on all shellfish beds. Ecology should consider issuing a final permit that covers all commercial shellfish beds and species where *Z. japonica* is present. At a minimum Ecology should draft the final permit in a manner which would facilitate expansion of the permit to include all shellfish beds at a later time.

4) The draft permit contains language that prohibits the use of imazamox to control *Z. japonica* after the third year of a five year permit. This language should be amended in the final permit to clarify that the permit may be amended at any time to address new information based on monitoring work to be conducted in spring of 2014.

5) Ecology should carefully review how the final permit will be implemented in time for the 2014 treatment program and work to avoid any conflicts it may present for control participants. Specifically, control participants need adequate time to prepare permit compliance documents.

6) It would be extremely helpful if the final permit could offer clarity regarding treatment of commercial clam beds when a secondary shellfish crops is also present on that clam bed. It is common for clam beds to have secondary or incidental crops present. To reduce future potential for confusion, PCSGA requests that clarifying language be added to the final permit that allows control when secondary shellfish crops are present.

Again, thank you for considering comments on the proposed General Permit for *Zostera japonica* Management on Commercial Clam Beds in Willapa Bay. Please don't hesitate to contact me if you need additional information.

Respectfully,



Margaret P. Barrette  
Executive Director