

Shellfish Initiative

Tier Two Report Card: November, 2013

The intended audience for the Tier Two table is for core group managers – lead staff from each agency. This is intended to document the status of the supporting steps for the Tier One Report Card.

Status Key	
Completed	
On Plan	
Not Started	
Off Plan	
Serious Constraints	

Tier Two				
Item	Target Date	Status	Explanation/Next Steps	Owner
1.1: Establish federal, state and local model permitting program				
1.1.1: Designate team	12/9/11	Completed		Governor
1.1.2: Finalize Business Operations Plan	5/14/12	Completed	The Shellfish Interagency Permitting (SIP) Team Operational Agreement was finalized in May, 2012, by all the participating tribal, local, state, and federal entities.	Lund
1.1.3: Programmatic permit	TBD	Completed	This idea was discussed and eliminated as an option. With the adoption of the 2012 Nationwide Permit #48, by the USACE, we determined that another form of general permit was unnecessary.	Bennett
1.2: Implement pilots				
1.2.1: Identify pilot projects for model permit program	6/27/12	Completed	Four sites have been identified to date as pilots –three in Mason County and one in Pierce County. Review of two of the Mason County proposals – new geoduck farms proposed by Arcadia Point Shellfish – is underway. The SIP Team has not received information from Taylor Shellfish for the other two sites.	Lund
1.2.2: Establish pilot project timelines	8/03/13	Completed	We have successfully worked two sites through as pilot projects. These were both for intertidal geoduck	Lund

			aquaculture in Mason County. The permits have all been issued. We begin work on a third project, for native oyster restoration in Kitsap, Mason and Skagit Counties, in April, 2013. Permits were issued to the Puget Sound Restoration Fund for five sites to be planted with the native Olympia Oyster.	
1.3: Continue vital shellfish aquaculture research				
1.3.1: Collect and assess monitoring data	12/31/12	On Plan	Ecology is tracking the various research efforts underway.	Lund
1.3.2: Project initiation; Interim report; Final report	4/12	Completed	\$99,366 (2013-2014) for WSG-funded study at the UW Tacoma (Greengrove lab) on mapping Alexandrium cysts as a tool for early warning of harmful algal blooms	Dalton/King
	4/13	Completed		
	4/14	On Plan		
1.3.3: Planning meeting; Host science symposium	4/12	Completed	Postponed to May 2014 due to delays in funding and in completion and publication of research	Dalton/King
	9/13	Off Plan		
1.4: Review of shellfish ecosystem services				
1.4.1: Review ecosystem models for cultivated shellfish: Draft report Final Report	12/31/12	On Plan	USGS drafted a report (funded by NEP) summarizing what we know about shellfish and water quality in the Puget Sound region and presented it to reviewers/stakeholders on June 5, 2013. USGS finalized the report and the link will be live in December 2013. Participating in grant to Pacific Shellfish Institute to evaluate shellfish/water quality interactions. Met with project team in July and awaiting location information for providing our circulation model output.	Roberts
	6/30/13	On Plan		
1.4.2: Assess Nitrogen credit system	1/14	On Plan	Nothing is planned until late 2013, pending completion of modeling work.	Gildersleeve
1.5: Improve guidance for local shoreline master programs				
1.5.1: SMP aquaculture handbook section Draft guidance Final guidance	7/12	Completed	Ecology published guidance on June 8, 2011. Guidance will be revised as needed.	Bouta
	9/12			
1.5.2: SMP aquaculture technical assistance	Ongoing	Completed	Ecology staff continue to review SMPs specifically for aquaculture and assist local governments and	Bouta

			stakeholders using presentations, publications, and direct assistance.	
2.1: Restore native shellfish – Olympia oysters				
2.1.1: Outplant; Outplant; Final report	9/12	Completed	First outplant in Sequim Bay successfully completed, 07/12. Second outplant successfully completed in Sequim Bay, 07/13, and Drayton Harbor, 8/13. Final report due 12/13.	Hoberecht / Jennings
	9/13	Completed		
	12/13	On Plan		
2.1.2: Update WDFW plan	5/12	Completed		Childers
2.1.3: Draft National Oyster Restoration Plan; Final plan	10/12	Completed	Draft plan circulated for review, 9/12. Final National Oyster Restoration Manual anticipated to be completed, 12/13.	Jennings
	10/13	Off Plan		
2.1.4 NOAA/TNC RFP funds disbursed	4/12 & 12/12	Completed	One NW native oyster restoration project was selected from the national competition, 4/12. Project funds were disbursed 6/13 and work is underway. Final report anticipated, 12/14.	Jennings
		Completed		
2.1.5 Proposal for funds; Anticipated facility operation	2/12 12/12	Completed	Proposal completed, 2/12, and funded, 4/12. Initial phase of construction completed: building exterior, 4/13, and interior walls, 11/13. Facility anticipated to be operational 12/13	Hoberecht / Dickhoff
		Off Plan		
2.2: Restore native shellfish – Pinto abalone				
2.2.1: Outplant; Deploy field nurseries	12/12	On Plan	In total, eight nursery cages are now operational at four locations rearing 800 small pinto abalone.	Childers / Sizemore
2.2.2: Draft plan	12/12	On Plan	A draft abalone restoration plan developed by NGO and Govt. organizations is complete and undergoing review.	Childers
2.2.3: Final report	12/14	On Plan	Abalone restoration activities are documented in detail and a final report can be compiled, when it is due. Current activities (2013) include production of 911,000 larval abalone; collection of additional broodstock for hatchery production; health screening and genetic analysis (progeny assignment); abalone acidification and hatchery water quality studies; PIT tag studies on outplanted adults; 800 juvenile abalone outplanted; 1,475,000 larval abalone outplanted in 2012/2013; and survey of San Juan Island index sties showing localized	Childers

			extirpation and a 92% in abundance between 1992 and 2013.	
2.3: Enhance recreational shellfish harvest				
2.3.1 Updated signage	Per new development	On Plan	A series of outdoor clean water interpretive displays have been fabricated and will be installed in six coastal state parks.	Kline
2.3.2 Recreation maps coordinated	12/1/12	Off Plan	Organizations that will help to develop recreation shellfish maps for Washington state waters are being identified.	Kline
2.3.3 Acquisition opportunities evaluated	5/1/12	On Plan	2013 WWRP State Park funding prioritizes new land acquisition on Harstine Island, including tidelands. Legislature will need to approve funding level in 2013.	Kline
2.4: Create public support for shellfish initiative				
2.4.1: Convene planning process	9/12	Completed	Ongoing coordination among state partners	Dalton / Bouta
2.4.2: X number of interpretive programs implemented	7/12	On Plan	"Shellfest" events were held at Belfair State Park on May 25, 2013 and at Fort Flagler State Park on August 17, 2013. Events for 2014 are currently being planned.	Kline
3.1: Direct \$4.5 million in EPA funding to protect and improve water quality.				
3.1.1: Award PIC programs	3/12	On Plan	We met our goal of establishing 10 pollution identification and correction (PIC) programs in Puget Sound. We have awarded PIC contracts to 10 counties and are supporting development of two PIC programs in the remaining 2 counties.	Davis
3.1.2: Award contracts to local health districts	7/12	On Plan	We closed out most of the on-site sewage system contracts from Round 1 NEP funds. We are awarding new on-site sewage system contracts to 11 Puget Sound counties. We awarded PIC contracts to 11 counties and one regional project.	Davis

3.1.3: Ag BMP funding available	3/15/12; 70 properties with BMPs by 12/31/13	On Plan	<p>Per Jerrod Davis: The Agricultural best management practices (BMP) fund supplements PIC awards provided to 7 counties and is provided directly to the Pierce Conservation District. Spending has been slow, however it has started to pick up with two recent requests for additional funds. BMPs have been installed on properties in Pierce and Skagit counties.</p> <p>DOH provides Pathogen Grant funds to Ecology inspectors to conduct inspections in the Samish watershed and provide a regulatory backstop to counties that have a PIC award. DOH has awarded funds to a WSDA inspector for work with dairies and to reduce pollution from manure transfers to other properties.</p>	Kolosseus
3.1.4: Develop guidance; Provide training	12/31/124 /1/13	On Plan	<p>Per Jerrod Davis: DOH and Ecology have developed a PIC guidance document, which was reviewed by local health jurisdictions. The guide was presented at the Washington State Environmental Health Association conference in May 2013 and will be presented at a PIC workshop in early winter 2014 and at the Salish Sea Conference in Spring 2014. Local PIC staff presented information about their PIC programs at a workshop for Shellfish Protection Districts in October 2013. A PIC/Shellfish Protection District library is being created to facilitate sharing of resources between those who are involved in this work.</p>	Bressler
3.1.5: Report	6/13	Off Plan	<p>We are working with DNR to produce a prioritized list of outfalls for pollution reduction, removal, or impact mitigation and identify a sustainable funding plan for implementing an outfall strategy. We have identified a few sites with a focus on shellfish bed recovery, however, we don't have ways to motivate owners to do something differently. More discussion is needed with Ecology and DNR to explore ways to overcome this barrier."</p>	Davis
3.2: Improve shellfish growing area protection and restoration efforts				
3.2.1: Form PCAT	3/12	Completed	PCAT is formed, renamed to Whatcom Clean Water	Allen

			Program	
3.2.2: Convene first meeting;	4/12	Completed	Meetings are proceeding, but are a bit behind schedule.	
Identify problems;	6/12	Completed	Currently working on a more detailed workplan and program elements. Estimated completion in January 2013.	
Develop Action plan, hire two inspectors and begin training program.	8/12	Completed		
Establish Core Group to guide the program, and set up Work Groups that will accomplish the tasks that get the program started on the ground.		Completed		Allen
Initiative efforts to identify problems in the Bertrand watershed.		On Plan	BFO Inspectors have conducted inspections on 36 out of 70 properties supporting livestock in the Bertrand watershed as of Oct. 2013. 24 of these properties need follow-up inspections and possibly technical and financial assistance. There have been problems re gaining access to properties. We will also start to work in one or more target watersheds for initial inspections this winter.	Allen
Establish a structure through which landowners can utilize Ecology NEP funds for financial assistance in the form of cost-share for implemented BMPs.		Completed		Allen
Initiate Education and Outreach		Off Plan	We have held several workshops. The Task Group will be focusing on how to enhance these efforts.	Allen
3.3: Take steps to address ocean acidification				
3.3.1: Convene OA Panel;	3/12;	Completed		Adelsman / Feely / Dalton
Issue final report	10/12	Completed		
3.3.2: Project interim report;	4/13	Completed	\$426,797 (2010-2013) plus \$165,933 (2013-2014) for	Dalton/King

Project final report	4/14	On Plan	two WSG-funded studies at the UW (Friedman lab) on effects of OA on Puget Sound calcifiers and of early exposure of Pacific oyster on subsequent performance	
3.4: Work with boaters to address potential pollution impacts				
3.4.1: Grants distributed	4/12 & 6/12	On Plan	<ul style="list-style-type: none"> • Thus far in 2013 eight projects totaling \$627,030 have been awarded from State Parks Clean Vessel Program. • State Parks CVA Program Manager is administering the Dept. of Health EPA grant for recreational facilities totaling \$248,148. The entire amount has been awarded in nine grants. • State Parks will ask for the maximum award amount of \$1.5 million in 2014 for the Coastal grant. No request will be made for inland grant dollars. 	Kline
3.4.2: Evaluation reports complete; Draft petition submitted to EPA	7/31/13 9/30/13	On Plan	The NDZ evaluation is complete and a draft petition will be sent to EPA by the end of December 2013.	Jankowiak

DRAFT

Washington Shellfish Initiative – Coast Planning Meeting

August 27, 2013, 10am to noon

Aberdeen Timberland Library, 121 East Market St., Aberdeen WA 98520 (large meeting room)

Draft Agenda

1. Introductions (10 minutes)
2. Overview of the Washington Shellfish Initiative (20 minutes)
 - a. Structure and key elements
 - b. Past efforts
 - c. Process to update and advance the next stage of the Initiative
 - d. Overview of new proposed elements
3. Discussion on proposed elements of the Initiative (40 minutes)
4. Recommendations and discussion of other elements to consider adding (40 minutes)
5. Next steps and follow up (10 minutes)

DRAFT Washington Shellfish Initiative – Phase II updates

Please note: this is an initial draft list of elements to be considered for inclusion in next phase of the Washington Shellfish Initiative. This document is based on the current sections of the Initiative with new and revised elements incorporated from a broad range of state, federal, and local agencies, tribes, shellfish industry, and other stakeholder discussions. It is a work-in-progress and will continue to change through this process.

1.1: Evaluate federal, state and local permitting efficiencies

1.1.1: Programmatic Biological Assessment (PBA) for federal permitting of shellfish activities

The Corps in consultation with the NMFS and USFWS will develop a PBA for Section 7 ESA Consultation for common activities permitted by the Corps associated with shellfish, planting, harvest, and restoration in WA. Use of the PBA will increase the Section 7 consultation efficiency for applicants who meet the PBA terms and conditions.

- Target dates:
 - Corps initiation of consultation: August 31, 2014
 - NMFS completion of consultation: September 2014
 - Corps implementation: Immediately, upon completion of Section 7 Consultation
- Owner: Bennett/Hoberecht

1.1.2: SIP Phase II

- Revisit potential of State/Federal Programmatic Permitting
- Report to Governor on SIP Phase II
 - Owner: Lund/Hoberecht
- Conduct a multiagency review of licensing and permitting requirements for ongoing farming operations to explore where efficiencies for industry and government might be achieved (DOH certification, WDFW Aquatic Farm Registration and production reporting, DNR lease renewals, WDFW transfer permits etc.)
- Future aquaculture coordinator role at the Dept. of Agriculture?

1.2 Implement pilots

- Continue to convene SIP team as ad-hoc group in response to requests for new farm permit assistance
- Establish goals for permitting XX new farms in a specified period of time
 - Discuss with Commerce to develop potential incentives/rewards for Counties willing to take the initiative to accomplish this.

1.3: Continue vital shellfish aquaculture research

1.3.1: New shellfish research projects funded by National Sea Grant (TBD)

- Target dates:

- Awards announced: October 2014
- Interim report: December 2015
- Final report: December 2016
- Owner: Dalton/Hoberecht

1.3. __: Journal of Shellfish Research Special Issue on Geoducks

The State of Washington, NOAA and the both the National and Washington Sea Grant Programs have made substantial investments in research to better understand the ecological impacts of geoduck aquaculture and refine current practice techniques. Much of this research is now complete, allowing an unprecedented opportunity to create a dedicated peer reviewed journal volume summarizing current information regarding the geoduck. NOAA and WA Sea Grant have funded the publishing of a Special Issue on Geoducks through the Journal of Shellfish Research to transfer sound scientific information to researchers, practitioners, regulators and the public about geoducks. The volume will contain 15 – 20 articles related to geoduck clam biology, ecology, and aquaculture, and specific topics will range from ecological, genetic and disease effects of geoduck aquaculture to hatchery and on-farm techniques and methods.

- Target dates:
 - Completion of manuscript editing: August 2014
 - Publication, printing and distribution: January 2014
- Owner: Hoberecht/Vadopalas

1.3. __: WA Sea Grant: Complete cumulative ecological effects of bivalve aquaculture in WA study

- Report and presentations
- Follow-up – next steps?

1.3. __: Include other shellfish research projects here (WSG, PSI, others)

1.3. __: Research on current methods and potential alternative methods for addressing burrowing shrimp impacts?

1.3. __: Sound Toxins – continued monitoring of harmful algal blooms

1.3. __: Create a prioritized list of shellfish research needs?

1.4: Review of shellfish ecosystem services

1.4. __: HEA project for shellfish and nearshore habitat

In order to accurately determine ecological gains and losses associated with shellfish farming and restoration, NOAA is developing a Habitat Equivalency Analysis (HEA) for shellfish and nearshore habitat. A group of regionally recognized experts will be convened to inform the parameters of the analysis.

- Target dates:
 - Convene expert panel: December 2014
 - Report completion: December 2015
- Owner: Hoberecht/Sanderson

1.4.__: Next steps based on USGS Conrad report?

1.4.__: PSI mussel study on ecosystems services – next steps?

1.5: Improve guidance for local shoreline master programs

- Opportunities to address county/state overlap with duplicating appeals processes?

1.6: Economic impact of shellfish aquaculture

- Economic analysis of overall value of WA Shellfish – commercial, recreational, tribal harvest, jobs – direct and indirect, tourism, jobs

1.7: Conduct a multiagency review of requirements for permitting and/or licensing for existing ongoing shellfish culture operations (here or in 1.1)

2.1 & 2.2: Restore native shellfish – Olympia oysters & pinto abalone

Olympia oysters:

- Continue collaborative work to re-establish sustainable breeding populations in the State's 19 priority areas. Note: Breeding populations have already been restored in 2 of the 19 priority areas (Liberty Bay, Fidalgo Bay). The other 17 areas have yet to achieve restoration success, although on-the-ground work has begun at numerous sites.
 - Owner: WDFW, Tribes, PSRF (Childers/Peabody)
- Collaboratively maintain and operate the Kenneth K. Chew Center for Shellfish Research and Restoration at the Northwest Fisheries Science Center's Manchester Lab and assist with optimization techniques for native Olympia oyster and pinto abalone production in support of State shellfish restoration goals.
 - Target date: Ongoing through September 2016
 - Owner: NOAA/PSRF (Hoberecht/Dickhoff/Peabody)
- Produce 2,500 bags of seeded cultch for selected sites to help put populations on a trajectory for recovery. Genetically diverse seed will be produced at the new Kenneth K. Chew Shellfish Center for Restoration and Research using conservation protocols co-developed by Puget Sound Restoration Fund, University of Washington and Washington Department of Fish & Wildlife.
 - Owner: PSRF/Peabody
- Conduct water quality monitoring associated with shellfish production: HABs using ESP, OA using MOATS, and/or production pH.

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- Target date: Ongoing through September 2016
- Owner: NOAA (Hoberecht/Dickhoff)
- Complete the Ecology-funded 10-acre native oyster enhancement project in Port Gamble Bay.
 - Owner: PSRF/Peabody
- Seek funding to initiate an additional 10 acres of enhancement in 2-3 of the 19 priority locations to help re-establish breeding populations.
 - Owner: PSRF/Peabody
- Generate collaborative research report on Olympia oyster genetics verifying that hatchery-propagated seed successfully maintains genetic integrity of wild populations.
 - Target date: Draft report: December 2015; Final report: September 2016
 - Owner: NOAA/UW/PSRF (Hoberecht/Vadopalas/Peabody)

Pinto abalone:

- Optimize hatchery efforts to more efficiently produce juvenile and larval abalone (with funding from WDFW, DNR & NOAA).
 - Owner: WDFW/PSRF (Childers/Peabody)
- Outplant 5,000 juvenile abalone (2,500 in 2015; 2,500 in 2016).
 - Owner: WDFW/PSRF (Childers/Peabody)
- Outplant 2 million larval abalone.
 - Owner: WDFW/PSRF (Childers/Peabody)
- Complete the DNR-funded project to assess previous larval out plants and refine larval out plant methodologies.
 - Owner: WDFW/PSRF (Childers/Peabody)
- Evaluate whether restoration could be accelerated by recruiting growers to grow out Olympia seed oysters, paid for by funds from NRCS.

NRCS's EQIP practices provide payments for farmers to do habitat restoration. In 2009, the Rhode Island NRCS office was the first state to utilize EQIP funds to fund oyster farmers to produce spat on shell for restoration. Placed in restoration areas, these are not harvested: they become habitat.

2.3 Enhance recreational shellfish harvest

- Maintain current levels of seeding on recreational beaches by WDFW. Incremental funding increases will be needed to maintain a base level of seed planting.

- BMPs to address outer coast beach bacterial sources including: Installation and maintenance of restroom facilities and pet waste stations along North Beach in Grays Harbor County to address pollution sources effecting Tribal harvest and recreational razor clam harvest.
- Recreational maps – Initiate a collaborative WDFW and DOH program to link and synchronize websites for resource conservation closures issued by WDFW and DOH human health closures.
- Pursue opportunity to increase recreational shellfish harvest at two large and strategically-placed public tidelands (Port Gamble and Sherwood Creek).

2.4 Create public support for shellfish initiative

- Coast-focused outreach and communication opportunities –
 - Education and outreach to outer coast communities and visitors about water quality, pet waste, and OSS maintenance
 - Outreach about shellfish aquaculture in Willapa Bay and Grays Harbor – tell the story of the oyster industry and culture of the region to a broader audience
- Continue Shellfest and other educational/interpretive opportunities about shellfish and water quality - coast opportunities?

3.1 Direct EPA and other funding to protect and improve water quality

- Establish comprehensive, sustainable pollution identification and correction (PIC) programs in the 14 counties¹ that have shellfish growing areas. PIC programs that:
 - Protects/restores commercial, recreational and tribal shellfish growing areas, recreational beaches, water quality.
 - Monitors to identify sources and evaluate effectiveness of corrective actions.
 - Uses a variety of approaches for corrective action (outreach, technical assistance, incentives, and enforcement).
 - Includes sustainable, partnerships, political and community support.
- Outfall strategy on state-owned aquatic lands – next steps?

3.2 Improve shellfish growing area protection and restoration efforts

- Particular focus in Whatcom and Skagit counties – still needs to be developed
 - Specifics on Whatcom next steps – TBD
 - Specifics on Samish CSI – TBD
- Priority areas for voluntary incentive and regulatory programs
 - Funding and implementation of agricultural BMPs in targeted, prioritized areas to address shellfish growing area water quality (further development through Results WA -shellfish coordination group)
- ID strategies to support Grays Harbor County in addressing shellfish growing area closures on the outer coast (Pacific County as well?)

¹ Counties with shellfish growing areas include: Pacific, Grays Harbor, Clallam, Jefferson, Mason, Thurston, Kitsap, Pierce, King, Snohomish, Skagit, Whatcom, Island, and San Juan.

3.3 Take steps to address ocean acidification

The Washington Marine Resources Advisory Committee (MRAC) was created by the Legislature, within the Office of the Governor to advance efforts on ocean acidification. The recommendations from MRAC are important element of Washington Shellfish Initiative. Information from MRAC can be found here:

<http://www.ecy.wa.gov/water/marine/oceanacidification.html>

3.3. __: NOAA's Pacific Marine Environmental Lab is in the process of adding pH, oxygen, chlorophyll, and turbidity sensors to our existing moored and underway systems to more accurately and precisely study the changes associated with ocean acidification. This information will inform hatchery production and remote setting methodologies. (To be updated)

- Target date:
 - Ongoing through September 2016
- Owner: Chadsey/Hoberecht

3.4: Work with boaters to address pollution impacts

- Continue Clean Vessel Programs – with particular focus in shellfish growing areas
- No Discharge Zone
 - Commercial vessel pumpout strategy and installation (2-3)
 - Continue outreach, implementation strategy, finalize petition to EPA
 - Owner: Ecology (Jankowiak)

Other elements for consideration:

- Lidar mapping of Grays Harbor to evaluate erosion of shellfish growing areas
- Assessing the potential effects of sea level rise (SLR) on recruitment and growing beds in Willapa Bay and Grays Harbor estuaries. SLR will deepen these estuaries and could impair shellfish farming as well as juvenile fish habitat. Conduct a risk assessment based on SLR inundation scenarios using SLAMM models and analyzing shoreline characteristics that would impede or support migration into new spaces. If done quickly enough (team effort), it would educate the current round of SMP updates.

Minutes
BOARD OF COMMISSIONERS – GRAYS HARBOR COUNTY
REGULAR MEETING

December 31, 2012

The Commissioners met in regular session in the Commissioners' Meeting Room, Administration Building, Montesano, Washington, on Monday, December 31, 2012, at 9:00 a.m. Commissioners Herb Welch, Mike Wilson and Terry Willis were present. Donna McCallum, Clerk of the Board, was present to record the meeting.

CALL TO ORDER AND FLAG SALUTE

BIDS:

None

HEARINGS:

1. **Ordinance – Right-to Farm:** There was a public hearing on December 31, 2012 to consider an Ordinance regarding the Right-to- Farm. The following summary provides a brief description of the ordinance: An ordinance amending Title 8 of the Grays Harbor County Code to add a new chapter implementing Grays Harbor County policy that agricultural, forestry, and aquaculture activities conducted on agriculture, forest lands, and in the waters as defined in this new chapter and other provisions in the code be protected from nuisance lawsuits in accordance with RCW 7.48.305, defining certain words or phrases used therein, and requiring specific real property disclosures that use of real property for agricultural, forestry and aquaculture operations is a high priority and protected use in the County, and those conditions arising from agricultural, forestry and aquaculture operations, if such operations are consistent with commonly accepted good management practices shall not be considered a nuisance unless the activity or practice has a substantial adverse effect on public health and safety. Notice of this hearing was published in *The Montesano Vidette* December 20, 2012. Chairman Welch asked for a staff report.

Commissioner Willis explained she has worked with Lee Napier on this project over her term. She stated there are numerous groups and people that are interested in this topic. She described the efforts made between groups and the meetings held leading up to this Ordinance. Commissioner Willis stated real estate agents were involved with the discussions. The Ordinance does not require paperwork to be filed on property sales, unlike the original design, but provides a mechanism for potential buyers to know what kind of activities are being done around them. She explained the importance of people being aware of the activities that surround them when preparing to buy property.

Commissioner Willis explained the new state law requirements and the two mile radius declaration of agricultural activities. She stated the Planning Department will be able to assist the public with the Ordinance.

Commissioner Welch asked if there was any public comment.

Brady Engvall, from the Shellfish Growers Association, discussed shellfish growing and the protected lands. He explained the history and that shellfishgrowers have been impacted by activities affecting their growing areas. He discussed the importance of aquaculture.

Owen Shaffner, Shaffner Farms, discussed agricultural activities and problems with a new neighbor who may not be tolerant of farming activities. He recommended approval.

Cheryl Campbell, Wishkah, made comments regarding the language in the Ordinance being framed more towards commercial activities and not the private citizen. She stated this is a good start.

Commissioner Willis discussed past lawsuits and stated Bill Stewart, Attorney, was involved with drafting the Ordinance, as well as County staff. Commissioner Willis stated this Ordinance does not stop legitimate lawsuits. Cheryl Campbell withdrew her objection after hearing Commissioner Willis' explanation.

JoAnn Shaffner, President of the Farm Bureau, urged the Board to pass the Ordinance and stated this will help avoid nuisance lawsuits.

Al Smith, Wishkah Valley, encouraged passage of the Ordinance.

There was no further public comment and the hearing was closed.

ACTION: A motion was made, seconded and passed to approve Ordinance No. 403 an Ordinance Amending The Grays Harbor County Code to add a new chapter to Title 8 of The Grays Harbor County Code Regarding Right To Farm and Practice Forestry.

2. **Supplemental Budget Appropriation – General Fund, \$715,944:** There was a public hearing on December 31, 2012 to consider a Supplemental Budget appropriation in the General Fund in the amount of \$715,944. Notice of this hearing was published in *The Montesano Vidette* December 20 and 27, 2012. Commissioner Welch asked for a staff report. Brenda Sherman, Budget Director, reported General Fund budgeted revenues are being adjusted to reflect the most recent estimates through the end of the year. County private harvest tax, state board purchase land/timber sale revenue, as well as interest and penalties on property taxes are being increased a total of \$1,147,944. Local sales and use tax and sale of county timber revenues are being decreased \$432,000 based upon actual receipts year-to-date. The ending cash balance will be increased by the difference of \$715,944.

Commissioner Welch asked if there was any public comment. There was no public comment and the hearing was closed.

ACTION: A motion was made, seconded and passed to approve Resolution No. 2012-160 authorizing a supplemental appropriation in the budget of the Grays Harbor County General Fund in the amount of \$715,944.

April 11, 2011

Susan Bunsick
NOAA Aquaculture Program
1315 East-West Highway
SSMC#3-13th Floor Rm. 13152
Silver Spring, MD 20910



Re: Comments on NOAA and DOC Draft Aquaculture Policies

Dear Ms. Bunsick:

Congratulations to NOAA and the Department of Commerce for your draft policies in support of advancing domestic aquaculture production in the United States.

The U.S. Seafood trade deficit is a startling 9 billion dollars with 84% of the seafood consumed here coming from other countries and only 5% of that from domestic aquaculture production. Taylor Shellfish Farms would like to help the United States reverse this trend!

Taylor Shellfish Farms is a fifth generation family owned business. The family has been farming shellfish in Washington State since 1890. Over the past twenty years our company has grown to become the largest producer of farmed shellfish in the United States.

We have the technology and the market demand to produce far more shellfish here in the United States. We would like nothing better than to do that. Unfortunately in recent years we haven't been able to get new farms permitted to do so. Local regulations in Washington State coupled with U.S. Army Corps of Engineers permitting and NMFS and USFWS consultations have effectively prevented any new shellfish farms from getting permitted for the past four years. We have another permitting process for a suspended culture mussel farm that has drug on for fifteen years now and cost us over \$1 million.

In the mean time, consumer demand for our products continues to grow and we have been left with no choice but to purchase existing farms in British Columbia to meet it. We have invested substantially there and now have approximately one hundred employees in Canada. These are investments and jobs that could have been here in the United States. In Canada, our eyes have been opened to the potential for the growth of aquaculture when you have local, provincial (state) and federal policies and governments that embrace your industry and attempt to foster its growth. In British Columbia we have mayors soliciting us to please locate in their towns and grant programs that will pay up to 50% of the cost of new equipment for farms and processing facilities. By contrast, a couple of weeks ago one of Taylor's employees that does the permitting for our farms was told by an Army Corps employee that she was being unreasonable expecting to get a permit for a new farm in less than a year!

User conflicts arising from extensive residential growth on the shorelines are jeopardizing the future of existing farms that have been in place in some cases for more than a hundred years. These same shoreline residents are also opposing efforts to establish new farms. NOAA and Commerce could play a significant role in advancing domestic aquaculture in nearshore, state waters through a number of their existing programs. CZMA section 309 grants to do comprehensive aquaculture planning and Coastal and Marine Spatial Planning are just a couple tools that would be useful in addressing user conflicts. These tools could also potentially help mitigate the environmental degradation on our farms occurring from adjacent shoreline development.

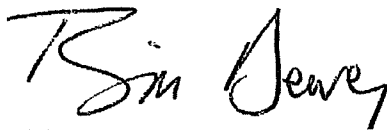
We urge you to finalize the aquaculture policies and redouble your efforts to implement them. In particular, we recommend you implement the policies by launching a national shellfish initiative as recommended by the Pacific Coast Shellfish Growers Association, East Coast Shellfish Growers Association and the Gulf Oyster Industry Council. One of the priorities for Taylors that we hope is part of such an initiative is a comprehensive review of permitting to see if there are efficiencies that can be gained.

Taylor Shellfish Farms endorses the comments provided by the Pacific Coast Shellfish Growers Association to which we belong.

We also endorse the comments provided by NOAA's Marine Fish Advisory Committee (MAFAC). I sit on this advisory committee and helped develop the comments they provided on April 8th. In my opinion, NOAA and Commerce should pay particular deference to the MAFAC comments in that their mission is to advise the Secretary of Commerce regarding national fisheries related policy. They represent a diverse spectrum of stakeholders and have discussed aquaculture extensively for a number of years.

Taylor Shellfish Farms appreciates the opportunity to comment on your draft policies and look forward to working with you on their implementation.

Sincerely,



Bill Dewey
Public Policy & Communications Director

Cc: Jane Lubchenco, NOAA Administrator
Gary Locke, Commerce Secretary