

Clallam County Dept. of Community Development
Re: Shoreline Master program update

Dear Planning Commission,

Comments regarding Chapter 3

Currently we are faced with the plans of Taylor Shellfish Inc. to place their largest plot ever in Dungeness Bay. In this context and using them as an example, I find Chapter 3 inadequate to protect existing sensitive sites such as the Dungeness National Wildlife Refuge, its natural feeding grounds, restoration of the Dungeness River for enhancement of endangered fish, and the 3 Crabs Restoration site purchased by the state. For this reason, I feel this chapter needs to undergo changes that will consider sensitive sites as a priority over aquaculture.

Further, there is a legal action in Bainbridge Island that is a dispute about what should take priority for water uses. Until that is settled, Clallam County should place a moratorium on aquaculture.

This document does not require an Environmental Impact Statement, which it should. Aquaculture and especially geoduck farms are for all intents and purposes in an experimental stage. For example, WA State Dept. of Natural Resources has yet to commence their 7 year study of environmental effects of geoduck farms and Sea Grant has not completed their study of the same. Due to limited information, British Columbia has placed a moratorium on new geoduck farms until more is known. This document places aquaculture, which includes geoduck farms, as a priority without sufficient information about their effects.

Chapter 3 needs further clarification of the activities allowed under the term "aquaculture." Oyster, mussel, geoduck, fin fish, etc. can be very different operations with varying effects on the ecosystem. They need to be addressed individually. Where one form of aquaculture has a permit to operate, what are permit requirements for expanding into another form of aquaculture, other than geoduck? Existing aquaculture appears to hold a status that is not spelled out in this chapter.

3.2.1 (1) *“Aquaculture is of statewide interest and is important to the long-term economic viability...”* The statewide interest is the 2007 Shellfish Initiative which has turned our state government agencies, Dept. of Health, Dept. of Ecology, and Dept. of Natural Resources into advocates for a specific industry rather than guardians of our natural resources. The problems of pollution, killed and injured wildlife, garbage left behind, decreased property values, and light and noise pollution currently being experienced in South Puget Sound shows there are gaps in oversight. This document should state the need for stricter regulation, adequate oversight and what agencies are responsible – county or state.

Long-term economic viability is not supported by evidence in this document. The lessor of the tidelands and the company operating the farms stand to make money but the job base is small. In the case of Taylor Shellfish, their answers to the question of how many jobs would be located in Clallam County are vague and may only be a few jobs. So, upon what is this *economic viability* based - more and more expansion?

“Aquaculture is dependent on the use of the water area and is preferred use of the water area when pollution is controlled and damage to the environment is prevented.” This sentence sets up aquaculture including geoduck farms as the superior priority over all other uses – historical or proposed. This is the *carte blanche* given to the industry that contradicts other concerns in this document such as public use, protection of wildlife, and respect for restoration sites. If this statement stays in the document it could serve as a basis for court actions by industry.

3.2.1 (2) *“Impacts to ecological functions shall be mitigated...”* There must be recognition in this document that impacts include damage and destruction. There should be penalties for damage and destruction, not just mitigation. Using Dungeness Bay as an example, sensitive sites that have been established for 100 years, (Dungeness Refuge), the Dungeness River restoration project to save salmon that has taken millions of dollars and effort should not be “impacted” at all and should be codified in this document.

3.2.1 (4b & 4d) “*minimize*” should be replaced with “do not.”

3.2.1 (4e) this needs clarification

3.2.1 (6) clarification needed, does this pertain to proposed or existing aquaculture operations? While the economic benefit to Clallam County of an aquaculture farm is minimal, a commercial enterprise that serves tourism interests has greater economic benefit to the county but is placed in a subordinate position. This does not make economic sense.

3.2.1 (8) This section does not specifically address natural feeding grounds for birds that are using the Dungeness Wildlife Refuge or any other protected area. A resting and nesting place that is protected cannot exist without food sources. The food source for many of the birds and marine mammals is Dungeness Bay. A geoduck farm would be an attractive food source but canopy nets would entrap birds. Using the example of Taylor Shellfish, they are mitigating aesthetic problems by using gray nets to make them less visible to people. They are less visible to birds as well. Consideration of birds needs to be included in this section and industry must prove safety for birds with accurate data.

3.2.1 (9) There should be no clearing or grading.

3.2.1 (15) Does this entry include financial support? More detail needed to define “support.” How far will citizens and local government have to go to support this industry?

3.2.2 (9) see 3.2.1 (8)

3.2.3 (2) This sentence states that geoduck operators have a right to harvest once geoduck are planted, without any conditions noted. Using Taylor Shellfish Farms as an example, they plan on putting a geoduck farm in the natural feeding ground of the Dungeness Refuge. Should there be injuries and death of birds evident, this sentence could allow their operation to continue at the expense of the wildlife safety. Also, placing the farm in that location, they could find that the levels of bird excrement are too high for their geoducks to pass health department standards. In order to meet their “right to harvest,” what happens then? Would

the birds be driven away? Would the County and its taxpayers be called upon to offer support in solving the problem, see 3.2.1 (15). Would chemical treatments be applied that may harm fish, birds and other wildlife to assure harvest?

Prior to the announcement by Taylor Shellfish Farms that they planned a geoduck farm in what is likely the most sensitive water body in Clallam County, I had assumed there was proper oversight of this industry from all layers of government. Instead what we have is an advocacy program that has turned use of our waterways over to a single industry. Chapter 3 of this document assures Clallam County will do the same. In light of the audacity demonstrated by Taylor Shellfish, this chapter must be rewritten with more defensive protections.

Besides Clallam County losing its autonomy over waterways to shellfish companies, please consider that we become dependent upon the business affairs that occur between the shellfish companies and their customers who are primarily located in Asia. There may be many customers there due to population but their government holds the cards. When China refused to accept geoduck from the US, it imperiled the very existence of some of the shellfish companies in Washington. At that time, December 2013, the price of geoduck was \$160 a lb. and it is now around \$30 lb. The geoduck business is a gold rush that will end as all do – are the citizens of Clallam County and the tidelands adequately protected by this document when that time comes? I feel the answer is no.

Thank you for consideration of these concerns.

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