



Request for Clean Water Act
Section 401 Water Quality Certification
WA State Department of Ecology
Phone: (360) 407-6076 or E-mail: ecyrefedpermits@ecy.wa.gov

AGENCY USE ONLY

Date Received: 06/14/2021
Aquatics ID#: 140469
Team: HQ
Valid Request: 06/14/2021

A. Identify the applicable federal license or permit:

Permit or License Number (if known): NWS-2007-1194

Federal Agency triggering the Water Quality Certification (WQC):

- ☒ U.S. Army Corps of Engineers ☐ U.S. Coast Guard
☐ U.S. Environmental Protection Agency ☐ Federal Energy Regulatory Commission
☐ Other: _____

B. Project Information:

Name: Goose Point Ongoing- NWS-2007-1194 County: Pacific

C. Documentation showing that the pre-filing meeting request was submitted at least 30 days prior to submitting this Section 401 WQC Request: ☒ Attached

D. Applicable Additional Information (Attached):

- ☐ Completed, signed, and dated Joint Aquatic Resources Permit Application (JARPA)
☐ Water Quality Monitoring Plan or WQ Monitoring and Protection Plan
☐ Mitigation Plan
☐ Wetland Delineation Report and ratings
☐ Copy of the federal permit or license application, including all accompanying information
☐ Suitability Determination for dredging projects with in-water disposal
☐ Dewatering Plan
☐ Revegetation/Restoration Plan
☐ Erosion and Sediment Control Plan
☐ SEPA and/or NEPA decision

E. Certification Statements:

The project proponent hereby certifies that all information contained herein is true, accurate, and complete, to the best of my knowledge and belief.

Initial NS

The project proponent hereby requests that the certifying authority review and take action on this CWA 401 certification request within the applicable reasonable period of time.

Initial NS

Signature:  Date: 6/14/2021

Print Name: Natalie Sahli

Submit this CWA §401 Certification Request form along with a JARPA and supporting information to ecyrefedpermits@ecy.wa.gov and cc the federal permitting agency.

To request an ADA accommodation, contact Ecology by phone at (360) 407-6076 or email at ecyrefedpermits@ecy.wa.gov, or visit [Accessibility & the Americans with Disabilities Act \(ADA\)](#). For Relay Service or TTY call 711 or 877-833-6341.

Goose Point Oyster Co.
P.O Box 338
Bay Center, WA 98527

6/14/2021

RE: NWS-2007-1194

U.S. Army Corps of Engineers Authorization Request:

Goose Point requests 2021 NWP 48 authorization by the US Army Corps of Engineers for ongoing shellfish farming activities by Goose Point Oyster Co. in Willapa Bay in Pacific County, WA. All ongoing activities pursuant to this request were previously (re)verified in July of 2017 under the recently vacated NWP 48 (reference number: NWS-2007-1194). No changes to the scope or nature of the work previously described during that renewal process has occurred. Additionally, all ongoing previously authorized work falls under Section 10 of the Rivers and Harbors Act, including planting of seed and traditional cultivation techniques that do not involve placement of structures or fill in the form of gravel or shell. Please consider all past permit information for the development of a current authorization.

Project Description:

To commercially cultivate up to 10-acres of on-bottom Pacific oysters from -1.5 feet to +2.0 feet Mean Lower Low Water (MLLW) tidal elevations and spans a total of 453.5 acres. No permanent corner markers will be used. Access to the site will be by boat from the Tokeland Marina or the Bay Center Processing Facility vessel staging area.

The planting, maintenance and cultivation of on-bottom Pacific Oysters will include the following: on-bottom oysters will be evenly scattered onto the substrate at high tide from the deck of an oyster scow. After the oysters are planted they will require very little maintenance, but will be regularly surveyed by farm manager to ensure survival following extreme weather events. Grow out period of the oysters is 2-3 years. Harvest takes place during daylight tide hours over a period of 4-8 weeks. Oysters are harvested by hand at low tide into tubs by crews of 7-10 people. Tubs are then retrieved by dredge at high tide the same day. The duration of low tide harvest is up to 4 hours. To complete harvest on high tide is an additional 2-3 hours.

Oyster seed is store in nursery modules that are constructed of 3.25' diameter x 4' tall 2" ridged mesh baskets specialized for upland setting and overwintering seed in the N Willapa Bay estuary. Larvae are set onto cultch shell in the modules between the months of March-October. Following the one-two week upland setting period, the modules are rotated out of the upland setting system via crane, the transferred on to a crane scow at the Tokeland Marina. The crane scow then distributes the covered modules upright onto the tide flats spaced approximately 10-15' apart. Modules are distributed over 3 acres of the central section of the bedsmwhich is a designated nursery area. The modules rest on the sediment for approximately one year before they are individually retrieved by a crane scow. The modules and seed are regularly surveyed to assess health and function. The nursery module design minimizes the use of single-use plastics in the estuary and eliminates the need for crews to break the seed out by hand, therefore reducing the amount of activity on the benthic substrate and habitat in the nursery area.

Dredge harvest of oysters takes place on a periodic basis of about every 3 years. Annual dredge acres do not exceed 151.1 acres. Dredging occurs on high-mid tide and is done by skimming the surface of the substrate to minimize turbidity. Dredge harvest lasts approximately 4 hours at a time and occurs intermittently for harvest of mature oysters.

This project area is comprised eelgrass cover ranging from dense to dense patches to sparse to bare. Both *Z. marina* and *Z. japonica* are present.

Environmental Consideration Summary:

The project will be carried out consistent with the guidelines and conservation measures outlined in the following documents:

1. The Pacific Coast Shellfish Growers Association's Environmental Codes of Practice.
2. Willapa Grays Harbor Oyster Growers Association Best Management Practices
3. The Army Corps of Engineers Programmatic Biological Assessment and the National Marine Fisheries Service and U.S. Fish and Wildlife Service Biological Opinions.

Additionally, appropriate soil erosion and sediment controls will be used and maintained in effective operating condition, and visual monitoring will be conducted to confirm that project-related discharges do not cause turbidity plumes that extend beyond 150 feet and take corrective action to cure any such exceedances.

Shellfish cultivation positively contributes to the aquatic environment through acting as three-dimensional habitat and improving water quality through removal via filtration of nutrients and particulate organic matter. Shellfish both thrive in and create a healthy aquatic environment.