



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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April 12, 2021

Markham Oyster Co.
Attn: David Hollingsworth & Gary Ruggles
20 Old Westport Rd.
Aberdeen, WA 98520

RE: Coastal Zone Consistency for Corps Reference No. **202000915**,
Markham Oyster Ongoing Aquaculture and Markham Oyster Ongoing Stewardship,
Grays Harbor County, Washington

Dear David Hollingsworth & Gary Ruggles:

On March 22, 2021, the Department of Ecology received a Certification of Consistency with the Washington State Coastal Zone Management Program (CZMP) for the above project.

This determination is for the proposed project to continue ongoing aquaculture activities, specifically the cultivation of Pacific oysters and harvest of natural set cockles. The total project area is 610.44 acres, with 225.45 acres of cultivation and 385 fallow acres. The project area consists of 5 project areas. Site 1 is 97.5 acres (50 cultivation acres) and lies at 0.0' MLLW tidal elevation. Site 2 is 206 acres (125 cultivation acres) and lies at 0.0' MLLW tidal elevation. Site 3 is 67.45 (50.45 cultivation acres) and lies between -0.5' and +1.0' MLLW tidal elevations. Site 4 is entirely fallow and is 173.67 acres at 0.0' MLLW. Site 5 is fallow and 67.62 acres at 0.0' MLLW tidal elevation.

Sites are accessed exclusively by boat. Patches of native eelgrass are found throughout the project site. The eelgrass in fallow areas, which make up the majority of the project, is never disturbed by harvest activities. Any eelgrass impacted by dredging is observed to fully recover by the next dredging cycle which is an average of 2.5 years. Annual dredge acres do not exceed 63.5 acres, which is approximately 10% of the total project area. Baseline eelgrass in hand harvest and longline areas appears to experience little disturbance from harvest activities.

Oysters are grown by both longline and on-bottom culture methods. For on bottom cultivation, seeded cultch is scattered by hand from boats at high tide. Oysters are harvested every 2-3 years either by hand into baskets that are retrieved by dredge at high tide, or by mechanical dredge harvest from boat. The dredge method involves skimming the substrate on which the oysters rest with dredge baskets attached to dredge arms on the vessel at slow speeds. The oysters collected in the baskets are then dumped onto the deck of the vessel for transport. Dredge harvest occurs on high tide and is done intermittently year-round depending on demand and availability of

mature oysters. Longlines are pre-seeded and run between PVC pipe grounded in the sediment, which suspends the seeded lines about one foot above the ground. PVC pipes are spaced approximately 3 ft. apart. Due to sloughs intersecting the property where longline cultivation takes place, longlines are variable lengths to ranging from 30-300 ft. The majority of lines are spaced 3 ft. apart with 6 ft. in between sets of two lines, with some longline arrays spaced 5 ft. Longline structures are repaired and replaced at regular inspection levels which occur on an average of every 2-3 months and also following large storm events. Inspections ensure that the lines are in proper working order. If damage is observed, any precarious gear is immediately removed from the site or held to the substrate by rebar until the next workable tide where the damage can be corrected. Harvest from longlines occurs by hand into baskets that are retrieved by dredge. Cockle harvest occurs exclusively by hand. Small crews access the site by boat and dig the cockles with small rakes, harvesting them into baskets.

The project site is located on tidelands within Grays Harbor, on parcel numbers 616110754351, 616110754352, and 616110754353, near Westport, Grays Harbor County, Washington; Section 8, Township 16 North, Range 11 West; WRIA 22 - Lower Chehalis Watershed.

Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with Markham Oyster Company's determination that the proposed work is consistent with Washington's CZMP.

If you have any questions regarding Ecology's consistency decision, please contact Teresa Pucylowski at teressa.pucylowski@ecy.wa.gov.

YOUR RIGHT TO APPEAL

You have a right to appeal this decision to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this decision. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal you must do all of the following within 30 days of the date of receipt of this decision:

- File your appeal and a copy of this decision with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this decision on Ecology in paper form - by mail or in person. (See addresses below.) E-mail is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

ADDRESS AND LOCATION INFORMATION

Street Addresses	Mailing Addresses
Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503 Pollution Control Hearings Board 1111 Israel RD SW STE 301 Tumwater, WA 98501	Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608 Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903

Sincerely,



Brenden McFarland, Section Manager
Environmental Review and Transportation Section
Shorelands and Environmental Assistance Program

e-cc: Mary Romero, Corps of Engineers
Laura Hendricks, Coalition To Protect Puget Sound Habitat
Amy van Saun, Center for Food Safety
Teresa Pucylowski, Ecology
Loreé Randall, Ecology
ecyrefedpermits@ecy.wa.gov – Aquatics No. 139460