



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

PO Box 47600 • Olympia, WA 98504-7600 • 360-407-6000

711 for Washington Relay Service • Persons with a speech disability can call 877-833-6341

June 21, 2021

Buck Bay Shellfish  
Attn: Mark Sawyer  
77 EJ Young Road  
Olga, WA 98279

RE: Coastal Zone Consistency for Corps Reference No. **200701131**,  
Buck Bay Shellfish Farm, San Juan County, Washington

Dear Mark Sawyer:

On May 27, 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 to commercially cultivate various shellfish species on 17.8 acres within a 22.8-acre project area. This includes 5 acres of geoduck; 5 acres of Manila clams; and 5.8 acres of Pacific, Kumamoto, and European flat oysters. The project area also includes 5 acres that have never been used for aquaculture. There is also typically about 2 acres of fallow grounds present at any time, which rotates seasonally. Cultivation of geoduck occurs between -3.5ft Mean Lower Low Water (MLLW) and -1.0ft MLLW; cultivation of Manila clams occur between 0.0ft MLLW and +2.0ft MLLW; and cultivation of oysters occurs between -3.5ft MLLW and +3.0ft MLLW. Wild harvest of natural set littleneck and butter clams, as well as on on-bottom mussels also occurs that the farm site. There are some small patches of eelgrass present on the project site. Access to the project area is by boat or from the upland. This farm has been in existence for seven decades. There is currently a FLUPSY nursery system located within the project area for oysters that is only in use when seed is of insufficient size, which is currently not the case.

Manila clams are seeded by hand directly onto the tidelands. Predator exclusion nets are used to cover the clams, and are secured to the substrate with rebar stakes. Nets are in place for about 2-3 years until harvest. Manila clams are harvested by hand (including any natural set of littleneck or butter clams).

Oysters are grown using various methods, including rack and bag culture, floating bags, on direct on-bottom culture. Oyster racks are constructed out of 3 lb. grade stainless steel with a 2" PVC at the bottom to prevent them from sinking into the substrate. The racks are designed to hold 20 grow bags per rack, however 16 per rack is used as the standard procedure. Floating bags are in strings of 10 bags maximum that are anchored to the bottom. There are recycled gillnet corks

placed into each bag to obtain floating capability. During low tide, the bags rest on the bottom, as the tide rises, the bags lift up and float vertically, fully submerged. The oysters that are grown on-bottom are single seed that have been sorted, as well as oyster seed that escaped from the grow bags and growing free range. All oysters are hand-harvested on an outgoing tide.

Geoduck seed are placed within PVC tubes that are then pushed into the substrate. Tubes are in place for 4 years and are covered with individual nets which are secured with rubber bands. No large area nets are used. After 7 years the geoduck are harvested using a water wand at low tide. The water wand releases high volume, low pressure water directly into the substrate in order to loosen it. This allows the geoduck to then be dug out of the sediment by hand. The project site is located on tidelands within Buck Bay, on parcel number 160946001000, adjacent to 119 E.J. Young Road, near Olga, San Juan County, Washington; Section 9, Township 36 North, Range 1 West; WRIA 2, San Juan Watershed.

Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with Buck Bay Shellfish'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](mailto: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**

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

Sincerely,



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

e-cc: Aquaculture-Reinforcement-Team@usace.army.mil  
Megan Biljan, 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. 140101