



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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July 13, 2021

Fisherport LLC
Jeffrey and Stacy Fisher
9735 Steamboat Island Road NW
Olympia, WA 98502

RE: Coastal Zone Consistency for Corps Reference No. **200701164**,
Fisherport LLC Existing Shellfish Farm-1, Thurston County, Washington

Dear Jeffrey and Stacy Fisher:

On July 6, 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 geoduck, Manila clams, and oysters within a 2.5-acre privately-owned project area between about +4.5ft Mean Lower Low Water (MLLW) to extreme low, per deeded parcel (approximately -4.5 MLLW). Geoduck cultivation occurs within about 2.2 acres of this project area, from about +2 MLLW to extreme low. Manila clams and oysters are grown on about 0.3 acres of this overall project area in the higher elevation band of the farm footprint, above the geoduck, from about +2 MLLW to +4.5 MLLW. There is no eelgrass present at this site. Access to the farm is from adjacent upland property or via boat. Typical farm maintenance activities occur such as installing and removing temporarily placed aquaculture gear (e.g. bags, tubes, area nets), and seed planting and harvest activities within the farm footprint as described below.

Oysters are predominately grown via a suspended long line flip-bag system, but also grown directly on-bottom. The suspended aquaculture involves the use of 30-ft oyster lines which are suspended and secured with removable 4-ft long, 5/8" diameter metal earth anchors. Lines are spaced a minimum of 6-ft apart, with a maximum of 48 lines (1,440 ft) in use at one time. Line is run through eyelets on the earth anchors and polyethylene oyster bags of approximately 20-inches by 36-inches are attached horizontally such that they do not scrape the bottom substrate. Floats are attached inside the oyster bags for bag flotation at high tides for tumbling. Oysters are harvested directly from the bags or the oysters may be emptied onto the beach from the bags for a period of weeks or several months for bottom culture growth and associated shell hardening. Harvest is done by hand only, with the occasional use of a hand rake to coalesce oysters into mounds for ease of harvest and transfer into harvest baskets. Oysters are sold to market typically from 1 to 3 years after seeding, depending on the market demand, and the size at seeding.

Manilla clams may be grown in polyethylene mesh bags on the bottom for up to 6 months, integrated within the same intertidal zone used for oysters: +4.5 MLLW to +2 MLLW. Manila clam seed is cultured initially within the bags and is then hand-spread directly atop the substrate, beneath and between lines where oyster bags are suspended. A ¼ - ½” predator exclusion net is then typically applied for about another 6 to 9 months for predator protection, and is secured to the substrate with rebar stakes. Market size is attainable after about 3-4 years. Harvest is conducted by hand raking and digging at low tide. Holes are filled after substrate disturbance following harvest removal.

Geoduck clams may be cultured from +2-ft MLLW to the extreme low tide at -4.5-ft MLLW. The culture of geoduck involves the use of 4-inch diameter PVC tubes for planting juvenile seed during the early-phase of the culture cycle, with the 10-inch to 12-inch long tubes hand-pushed into the sandy substrate to a depth where approximately 3 to 4-inches of the tube extends above the sediment surface. Tubes are placed at a density of 1 tube per square foot, and are covered with individual cup (top) nets secured with rubber bands and/or canopy nets after planting, which are secured extensively around the perimeter of the netting with rebar hooks. Top nets are pulled from individual tubes after about 6 months, and coverage nets and tubes are pulled after 1 to 2 years of deployment, depending on geoduck growth. Replanting is conducted after harvest, generally 5 to 7 years after planting. On any given year, a maximum of about 25% of the geoduck ground will have tubes with predator netting in use, as only a portion of the parcel is planted each year as part of crop rotations.

Geoduck harvest involves using a hydraulic wand that releases water under controlled pressure. The harvest wand has an inside diameter of 5/8 inches or less and is operated by hand to emit water at maximum pressure of about 40 psi. The wand is directed by hand into the sand a maximum of 36” to loosen the substrate and allow for the harvest of the geoduck. This action generates localized sediment disturbance and turbidity that rapidly dissipates after harvest actions cease. Harvest most often occurs via diver, though beach harvest at low tide using the same equipment may be used. In both cases, access to the site is by boat and water pumps are housed on the harvest vessel platform. Intake pumps for the pumps are screened to meet NMFS screening criteria. Noise levels are managed to conform to Thurston County noise ordinance 10.36, with a maximum of two harvesters operating at any one time and separated sufficiently to reduce suspended sediment disturbance.

The project site is located on tidelands within Totten Inlet, on parcel number 39000001300, adjacent to 9711 Steamboat Island Road NW, near Olympia, Thurston County, Washington; Section 33, Township 20 North, Range 2 West; WRIA 14; Kennedy-Goldsborough Watershed.

Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with Fisherport’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 | Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608 |
| Pollution Control Hearings Board 1111 Israel RD SW, STE 301 Tumwater, WA 98501 | Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903 |

Sincerely,

Loree' Randall on behalf of Brenden McFarland



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

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e-cc: Aquaculture-Reinforcement-Team@usace.army.mil
Kristen Hafer, Corps of Engineers
Laura Hendricks, Coalition To Protect Puget Sound Habitat
Amy van Saun, Center for Food Safety
Teresa Pucylowski, Ecology
Loreé Randall, Ecology
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