



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

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May 10, 2022

R&B Oyster Inc.
Attn: Josh E. Moreno
PO Box 309
Bay Center, WA 98527

Re: Coastal Zone Consistency for Corps Reference No. **202000941**,
R&B Oyster Consolidated, Pacific County, Washington

Dear Josh Moreno:

On February 23, 2022, 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 cultivate 376.45 acres of previously permitted commercial on-bottom cultivation of Pacific oysters (*Crassostrea gigas*) on tidelands in Willapa Bay. Harvest will occur between 0.0 Mean Lower Low Water (MLLW) and +3.0 MLLW tidal elevations on a 2- 4 year rotation. Natural set manila clams (*Venerupis philippinarum*) may be harvested by hand at low tide as a secondary crop. No gravel frosting will occur.

Pacific oysters are cultivated utilizing traditional on-bottom methods. All oyster seed is obtained either from hatcheries or from natural sets. Cultch will be set with hatchery produced larvae on washed and aged shell in upland setting tanks. On-bottom oyster seed is spread manually by shoveling from a boat onto the beds at high tide. A harrow may be used for bed prep and cleanup. On bottom oysters may be transplanted several times during the growing cycle.

Mature oysters will be harvested by either manual methods or mechanical dredge. Oysters harvested by manual methods would be hand-picked and collected into baskets at low tide, and then picked up by boat during high tide for transport to a processing facility. Mechanical dredging will use a steel mesh harvest bag which would be lowered from a barge or boat by boom crane or hydraulic winch at high tide and pulled along the bottom to scoop up or 'dredge' the oysters. The dredge bags have a leading edge (blade) consisting of a steel frame with teeth and a steel mesh collection bag attached to the

frame. As the dredge bags are towed across the substrate, the oysters are loosened and guided into the collection bag. The bag would then be hoisted onto the boat deck and emptied. The crop cycle would be 2-3 years depending on site specific conditions and harvest would occur year-round. Turbidity resulting from oyster boat harvest shall be minimized by adjusting dredge bags to “skim” the surface of the substrate during harvest.

The project site is located on tidelands within Willapa Bay, on parcel numbers 79001000224, 79001000230, 79001000298, 79001000296, 79001000299, 79001000179c, 79001000227, 79001000054, 79001000058, 79001000055, 79001000313, 79001000332, 79001000187, 79001000255, 79001000154, 79001000070, 79001000079, 79001000080, 79001000081, 79001000177, 79001000108, 79001000109, 79001000110, 79001000336, 79001000163, 79001000326, and DNR Lease Area 20-A12538, near Bay Center, Pacific County, Washington; WRIA 24, Willapa Watershed.

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

If you have any questions regarding Ecology’s consistency determination, please contact Marco Pinchot at marco.pinchot@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

Filing an appeal with the PCHB:

Mailing Address:

Pollution Control Hearings Board
PO Box 40903
Olympia, WA 98504-0903

Street Address:

Pollution Control Hearings Board
1111 Israel RD SW
STE 301
Tumwater, WA 98501

Serving a copy of the appeal on Ecology:

Mailing Address:

Department of Ecology
Attn: Appeals Processing Desk
PO Box 47608
Olympia, WA 98504-7608

Street Address:

Department of Ecology
Attn: Appeals Processing Desk
300 Desmond Drive SE
Lacey, WA 98503

Sincerely,



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

E-cc: Aquaculture-Reinforcement-Team@usace.army.mil
Rory Lee, U.S. Army Corps of Engineers
Marco Pinchot, Ecology
Loreé Randall, Ecology
ecyrefedpermits@ecy.wa.gov