



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

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

December 29, 2023

J&G Gunstone Clams, Inc.
ATTN: Reed Gunstone
PO Box 4118
Sequim, WA 98382

Re: Coastal Zone Management Federal Consistency Decision for Log Dump (Corps No. NWS-2008-0559), Sequim Bay, Sequim, Clallam County, Washington

Dear Reed Gunstone:

On October 25, 2023, the Department of Ecology (Ecology) received a Certification of Consistency with the Washington State Coastal Zone Management Program (CZMP) for the above project. Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with J&G Gunstone Clams, Inc.'s determination that the proposed work is consistent with Washington's CZMP.

This project is for an existing shellfish farm with the proposed new use of a mechanical clam harvester. This shellfish farm has been in existence for over 50 years and cultivates Pacific oysters and Manila clams, with incidental harvest of natural set Pacific littleneck clams, butter clams, eastern softshell clams, horse clams, mud clams, and cockle clams. Cultivation occurs on 6 acres of privately owned tidelands between +3.0 ft to -3.0 ft mean lower low water tidal elevations within a 7-acre project area. Access to tidelands is by foot and ATV during low tide and occasionally by boat/public boat ramp during high tides. Patchy eelgrass present.

Existing operations consist of oysters grown in bags on-bottom, as well as both oysters and clams grown on-bottom with cover nets. Bag on-bottom oyster cultivation will occur on 0.5 acre and involve placing single-set seed or oyster cultch in bags, which would then be secured to lines or stakes directly on the substrate until harvest. Oyster and clam on-bottom cultivation will occur on 3.5 acres; cover nets will be used and installed with rebar cane that is 0.5-inch thick and 2-ft long. The cover nets are temporary and will be in place for a growing season, usually 2 years. Nets will be rotated in and out due to age, damage, and fouling. Generally, space will be left between cover nets, to allow for fallow areas and for walkways. Cement blocks may be used temporarily as needed to prevent newer nets from floating and will be

removed when no longer needed. Monitoring is conducted 3 or more times per week. Clam seed is scattered by hand on to the beach during incoming tides in a few inches of water depth on cool days with shade, then covered with nets to protect against predators. Oyster seed is also planted by hand.

The proposed mechanical clam harvester is a modified tulip bulb harvester. Operation will be conducted during low tide. Pilot harvests will be conducted to see how the harvester works at the various sites, given the variation in substrate and depth of shellfish. Where there is “successful” harvest, meaning the mechanical device can move along the substrate, and where the clams are not too deep in the substrate and can therefore be accessed efficiently with minimal disturbance, then the device will be used to assist the harvesting process.

The project site is located on tidelands within Sequim Bay, on parcel number 032912220100, near Sequim, Clallam County, Washington; Section 12, Township 27 North, Range 3 West; WRIA 17, Quilcene-Snow Watershed.

If you have any questions regarding Ecology’s decision, please contact Teresa Pucylowski at (360) 764-0546.

Your right to appeal

You have a right to appeal this decision to the Pollution Control Hearings Board (PCHB) within 30 days of the date of receipt. 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 notice of appeal and a copy of this decision with the PCHB (see filing information below). “Filing” means actual receipt by the PCHB during regular business hours as defined in WAC 371-08-305 and -335. “Notice of appeal” is defined in WAC 371-08-340.
- Serve a copy of your notice of appeal and this decision on the Department of Ecology mail, in person, or by email (see addresses below).

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

Filing an appeal

Filing with the PCHB

For the most current information regarding filing with the PCHB, visit: <https://elaho.wa.gov/> or call: 360-664-9160.

Service on Ecology

Street Addresses:

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

Mailing Addresses:

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

E-Mail Address:

ecologyappeals@ecy.wa.gov

Sincerely,



Loree' Randall, Section Manager
Aquatic Permitting & Protection Section
Shorelands and Environmental Assistance Program

Sent via e-mail: jgclams@gmail.com

E-cc: Kelsey Blubaugh, U.S. Army Corps of Engineers
Allison Cutting, J&G Gunstone Clams, Inc.
Alex Scagliotti, Jamestown S'Klallam Tribe
Teresa Pucylowski, Ecology
fedconsistency@ecy.wa.gov