



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Northwest Region Office
PO Box 330316, Shoreline, WA 98133-9716 • 206-594-0000

August 12, 2025

Morgan Shellfish LLC
ATTN: Terry Morgan
504 Fairway Lane
St. John, WA 9971

Re: Coastal Zone Management Federal Consistency Decision for Morgan Tideland (Corps No. NWS-2017-651), Samish Bay, Bow, Skagit County, Washington

Dear Terry Morgan:

On May 2, 2025, the Department of Ecology (Ecology) received a Certification of Consistency with the Washington State Coastal Zone Management Program (CZMP) for the above project. Ecology issued a 21-day public notice on July 16, 2025. Pursuant to Section 307(c)(3) of the Coastal Zone Management Act of 1972 as amended, Ecology concurs with Morgan Shellfish LLC's determination that the proposed work is consistent with Washington's CZMP.

This project proposes to commercially cultivate Manila clams and oysters on approximately 12 tidal acres of Samish Bay on tax parcel P48468. Oysters would be cultivated in bags both suspended on lines and resting on-bottom attached to lines anchored in the substrate with rebar. Manila clams would be cultivated on-bottom and may be covered by anti-predator netting. On-bottom cultivation areas may be compacted before seeding with a coil compactor. Access would be by boat. This activity would occur in Samish Bay, near Bow, Skagit County, Washington.

If you have any questions regarding Ecology's decision, please contact Austin Schmalz at 425-301-6989.

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 by 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.

Address and Location Information

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

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Sincerely,

A handwritten signature in black ink, appearing to read "Joe Burcar". The signature is fluid and cursive, with the first name "Joe" being more prominent than the last name "Burcar".

Joe Burcar, Section Manager
Northwest Region Office
Shorelands and Environmental Assistance Program

Sent via e-mail: tjmorgan5@gmail.com

E-cc: Jonathan Smith, U.S. Army Corps of Engineers
Erin Hanlon Brown, Ecology
Austin Schmalz, Ecology
fedconsistency@ecy.wa.gov