

Future of Farming – Strategic Plan for Washington Agriculture
Position Paper: Pacific Coast Shellfish Growers Association
www.pcsga.org

Oysters were the first agricultural commodity exported from the state of Washington over 150 years ago – prior to statehood. Most of today’s farms go back multiple generations, and it is the shellfish farming community’s hope that several generations from now shellfish farming will continue as a thriving industry, still providing a high quality and delicious source of protein to citizens here and abroad.

Shellfish farmers currently face unprecedented challenges stemming from a combination of environmental changes, land use conflicts and growing regulatory restrictions. If we fail to implement environmental protections and develop appropriate farm-friendly policies to protect our ability to continue farming, the future of shellfish farming hangs in the balance.

The population explosion in Western Washington, and the expanded development of our shorelines, has brought with it unparalleled challenges to shellfish farming. Failing septic systems, increased impervious surfaces, and road runoff all contribute to fecal and viral contamination in shellfish growing areas. Adding insult to injury, the proximity of homes to shellfish growing areas has brought about unprecedented conflicts over use of the shorelines from homeowners that object to a working waterfront. This in turn is resulting in increased regulations, permitting costs and legal and consultants’ fees that are beginning to edge smaller growers out, and sending larger growers to Canada to do business. Ironically, shoreline homeowners’ failing septic systems is one of the chief causes for the closure of shellfish growing areas.

More stringent environmental protection of shellfish growing areas, coupled with clear public policies that protect the right-to-farm in existing shellfish growing areas, is sorely needed if shellfish farming is going to remain a significant part of Western Washington’s agricultural and economic base.

Despite the long history of shellfish farming in Washington, and a natural resource base that should make Washington the leader of aquaculture on the national front, the State has no comprehensive shellfish farming policy, plan or coordinated vision for supporting or protecting the farming community. This has resulted in a hodge-podge of uncoordinated rules, laws, permits and regulations which are confusing to shellfish farmers, the public, regulators and resource agencies.

In terms of both environmental protection and land use conflict, we currently have a golden opportunity as the Department of Community, Trade and Economic Development (CTED) is in the process of updating guidelines for designating Resource Lands under the State’s Growth Management Act,. PCSGA members have urged CTED staff to include designation criteria for shellfish growing areas as they update these guidelines (designations will also go through a thorough public process to allow input from all stakeholders.) In turn, counties are required to designate long-term, commercially significant resource lands, and to protect those lands through zoning provisions to ensure their continued viability.

The counties also play a pivotal role as the entities with jurisdiction over permitting and inspection of septic systems. Currently, few counties have funds – and in some cases, the political will - sufficient to do this job adequately. As the Puget Sound Partnership considers the most cost-effective solutions to the problems plaguing the marine environment, establishing the

funding base and political support to assure a robust on-site septic monitoring and repair system is one area that clearly needs support.

In terms of current regulatory hurdles, a new Army Corps of Engineers permit is now required for shellfish farming (Nation Wide Permit 48 for existing activities and Individual Permits for activities commencing after March 16, 2007.) This federal permit triggers the requirement for federal agencies to conduct Endangered Species Act and Essential Fish Habit consultations. The NWP 48 also triggers the need for the Department of Ecology to conduct a Clean Water Act Section 401 certification. The department as well as the federal agencies (National Marine Fisheries Service and U.S. Fish and Wildlife Service) has the ability to layer additional conditions onto the Army Corps permits. That process is currently underway and is not likely to be finalized until the end of 2008.

At the local level, due to the significant shoreline homeowner conflicts that have occurred in some of our more urbanized counties, new Shoreline Management Act Substantial Development Permits are being required (in Pierce County for example), and being considered in other counties (Thurston and Jefferson). As more counties update their Shoreline Master Programs we expect this trend to continue. Our concern is that view-sheds and recreational uses will increasingly take precedence over the use of tidelands for shellfish farming.

Legislation passed in 2007 created the Shellfish Aquaculture Regulatory Committee (SARC) under the Department of Ecology for the purpose of considering the regulatory arena in which shellfish farming currently operates.