



CASE INLET SHORELINE ASSOCIATION
PO Box 228
Vaughn, WA 98394-0228

March 2, 2009
Jay Manning
WS Department of Ecology
Olympia, WA

Re: Pierce County Shoreline Master Program Limited Amendment Interim Regulations for Aquaculture and Piers and Docks (Ordinance numbers 2007-34s2 and 2008-25)

Dear Jay,

It is disappointing that Ecology was unable to approve Pierce County's Shoreline Amendment with respect to aquaculture. The Pierce County Council drafted the interim regulations in response to our community, and we continue in our persistence that the proposed regulations are consistent with the Shoreline Management Act. We are concerned that, because of the extraordinary delay in Ecology's decision, Pierce County will not have time to complete a shoreline inventory and analysis before the Shoreline Master Plan update is completed. We are also concerned with our state government's bias in favor of aquaculture.

In Ecology's Findings and Conclusions, and in the press release of February 26, 2009, Ecology overstates and misrepresents aquaculture's place in the Shoreline Management Act with obvious bias and without consideration for tax paying citizens that are opposed to aquaculture in their communities.

"Aquaculture is identified as one type of preferred use allowed in shoreline areas under the Shoreline Management Act, which was passed by voters in 1972. The act has three broad goals: protect shoreline natural resources,

promote public access, encourage water dependent uses, such as aquaculture, ports, and recreation.”

WS Department of Ecology,
02/26/2009

This is not what the Shoreline Management Act says! Ecology is re-writing the Shoreline Management Act here to enhance and promote aquaculture. This is not the purpose of the act. The Shoreline Management Act states the following:

*“The **overarching** policy is that the public’s opportunity to enjoy the physical and aesthetic qualities of natural shorelines of the state shall be preserved to the greatest extent feasible...”*

Overarching means overriding, overruling, encompassing and overshadowing everything. It means predominate and paramount. It means that everything else in the Shoreline Management Act, including aquaculture, is under the umbrella of this one singular idea. This was the intention of the voters when the SMA was enacted into law. **The SMA also very clearly gives priority to single family residences and shoreline recreational uses over aquaculture as a preferred use.**

The Shoreline Management Act also states:

“Alterations of the natural conditions of the shorelines of the state, in those limited instances when authorized, shall be given priority for...development that will provide an opportunity for substantial numbers of people to enjoy the shorelines of the state.”

This statement clearly indicates that shoreline alterations will be (1), limited in instance, and (2), prioritized toward recreational uses.

In 1972 when the SMA was drafted and approved by voters, shellfish aquaculture in Puget Sound was localized and confined primarily to on bottom oyster culture. Today, we’re seeing millions of plastic tubes, plastic mesh bags, huge canopy predator exclusion nets, barges, pumps, hoses and nozzles, and an unprecedented amount of anthropogenic activity and disturbances to the ecosystem. This is not consistent with the SMA on several levels. It does not preserve the natural character of the shoreline. It does not protect the resources and ecology of the shoreline. It decreases recreational opportunities for the public in the shoreline area. The public’s opportunity to enjoy the physical and aesthetic qualities of natural shorelines

is not being preserved. It is an alteration of the natural condition of the shoreline.

It is clear that intertidal geoduck aquaculture is inconsistent with the Shoreline Management Act. It is not a “reasonable or appropriate use”. It does not “promote and enhance the public interest”. It is contrary to the state’s policy of “protecting against adverse effects to the waters of the state and their aquatic life”. It is not a preferred use consistent with prevention of damage to the environment. It does not meet the “no net loss of ecosystem function” criterion.

Intertidal geoduck aquaculture and harvest techniques adversely impact eelgrass, depress key prey invertebrates important to endangered salmon, disrupt resident and migratory birds, and significantly impact the aesthetic qualities of the shoreline.

And while we agree that aquaculture is of state wide interest and can be a preferred use of the “water area” when consistent with conditions specified by the SMA guidelines, it is absolutely clear that aquaculture does not have priority over the rights of the people to quietly enjoy the physical and aesthetic qualities of natural shorelines of the state.

Thank you.

Curt Puddicombe
Board Member
Case Inlet Shoreline Association
PO Box 228
Vaughn, WA 98394
www.caseinlet.org
seablues@msn.com
206-730-0288

