

**Luke Viscusi**

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**From:** Brian Lagerberg <brianlagerberg80@gmail.com>  
**Sent:** Wednesday, August 9, 2023 2:55 PM  
**To:** Luke Viscusi  
**Subject:** Taylor Shellfish Hearing

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Hello Luke.

I attended the hearing today until 2:30. I took leave from work to attend because this is critically important to our community. I have had to return to work before any of the public could testify. I left my testimony at the hearing.

I encourage you to schedule additional time for the public to participate during non-work hours. Scheduling an important hearing when working people cannot attend violates the basic principles of public engagement.

I heard a portion of Taylor's testimony and have left feeling even worse about this proposal. I heard a number of untrue statements from Taylor and witnessed efforts to undermine the public comment.

Taylor's proposal is based on the idea of economic development. I ask you to think about whether their definition of economic development is consistent with county plans and the SMP. They are creating zero jobs—assigning current staff to this project part time. They are exempted from the majority of state taxes because of their business type—bringing no revenue into the city/county. They sell none of their product in Mason County. No additional aquaculture businesses can follow their model because they are using the entirety of the bay with sufficient depth.

I don't see how in good faith their proposal can be accepted. Please reject it.

I am happy to talk with you further.

Brian Lagerberg

**David B. Douglas, SIOR, CCIM**

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**To: Mason County Hearings Examiner  
c/o Luke Viscusi, Mason County Planning Department**  
**From: David Douglas**  
**Re: Taylor Shellfish Proposed 50 Acre Industrial Aquaculture Facility, Oakland Bay**

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***Aquaculture Design and Performance Standards; Regulatory Oversight:***

Following the first afternoon of public hearing for the industrial aquaculture project referenced above, it is apparent there are significant oversights and undefined criteria both in Taylor's proposal and Mason County's review. The lack of clarity related to the project scope and the potential impact upon the Oakland Bay environment should in and of themselves lead to the conclusion that approval should not be granted. The lack of applicable research renders any decision almost impossible as each of the aquaculture areas Taylor references are located in bodies of water substantially larger and different than Oakland Bay. Additionally, the impact upon aesthetic view corridors and the major impact this project will have upon the public's recreational opportunities reaffirm substantial additional study is required prior to rendering any decision in favor of Taylor's proposal.

At 50 acres, this project is larger than all of the combined land area needed to serve the Seattle Seahawk's Century-Link and Mariner's T-Mobile stadiums, exhibit hall and parking garages! This scope, combined with Taylor's statements this will be the world's largest oyster aquaculture complex in a small, low volume estuary of just 4,203 acres is startling, particularly when the "comparable" environments cited by Taylor are California's Humbolt Bay, which is over 16,000 acres, and Chesapeake Bay, which is 193 miles long and ranges from 2.4 to more than 30 miles wide.

First and foremost, Mason County Code "Section 17.50, Shoreline Master Program" contains absolutely no specific development standards by which to determine if the scope of the proposed project is acceptable or if an ongoing operation satisfies or exceeds any performance standard envisioned under the code or under any variance which may be granted. At best, the vague and generic descriptions included in this code section allow wide interpretations for every clause and leave the county and the applicant open to future conflicts with a variety of stakeholders. The fact Section 17.50.030 specifies a "liberal construction" for interpretation of the Shorelines Management code allows developers and operators to run roughshod over any code section without risk or concern, particularly when Mason County is not adequately staffed to perform any code compliance reviews. Section 17.50.040 further states "This title serves the function of a framework for decision-making, regarding future developments on the waters and shorelands of Mason County whether public or private. As such, it must be adaptable to changing conditions, and shall thus remain

subject to periodic review and revision when, in the judgment of the administrator, the planning advisory commission, or the board such review and revision are necessary to the title's continued effectiveness”.

It is clear Mason County planning did not conduct research or interviews with corresponding jurisdictional authorities in other significant oyster or shellfish growing regions, despite references in Taylor Shellfish’s application. Prior to any decision we urge the County be required to investigate the design, performance and monitoring criteria developed for Humboldt County, California, British Columbia, Canada, and the “Aquatic Enterprise Zone” of Chesapeake Bay. Review of these aquaculture regulations will allow the county to arrive at an informed position allowing establishment of responsible development standards and appropriate monitoring criteria to protecting the Oakland Bay environment as well as recreational activities and view corridors.

Most importantly, which agency will be tasked with monitoring the operation to ensure Taylor Shellfish is complying with whatever standards may be adopted by Mason County? We have already been informed by every agency to which the question has been presented that “oversight and regulation” of aquaculture is either not in the purview of the agency or that staffing levels are simply not adequate to conduct inspections or regulatory actions. Prior to any approval, it is imperative some agency be identified as the jurisdictional authority to regulate this proposed installation.

### ***Site Selection and Visual Aesthetics***

The “Aquaculture Siting Study” prepared for the State of Washington Department of Ecology by EDAW, Inc. and CH2M/Hill in October 1986 is the foundational study for implementation of the State Shorelines Management Act. As stated in this report, the “intent is to provide an environmental assessment tool for use in evaluating and regulating these facilities.”

The report focused upon “Visual” and “Cumulative” impact analysis of aquaculture. The Visual Impact Assessment utilizes computer and photo simulation, creating analytics assessing the landscape, the viewer and the facility. Cumulative Impact Assessment identifies biological, navigational, visual and access variables and next reviews seven approaches for achieving separation of facilities or lessening of the cumulative impact.

Mitigating measures recommended by the study include siting aquaculture facilities at least 1,500 to 2,000 feet offshore and limiting the overall size and surface coverage to not more than 10% of a person’s normal cone of vision. Taylor’s proposal; according to measurements provided by Mason County Planning, will lie roughly 1,447 feet south of the northerly shoreline and just 1,188 feet north of the Bay’s southerly shoreline. Encompassing at least 2,000 lineal feet, the expanse of the project will far exceed the recommended 10% “cone of vision” parameter. There is no conceivable way the proposed project will come close to meeting the recommended site selection parameters from the study; it will also impact the designated “Conservancy” lands located on the south side of Oakland Bay (please see the exhibits at the end of this memorandum).

Complicating any review, Taylor has provided no clear picture or model of the proposed FLUPSY system, relying only upon a close up photo of a similar installation, apparently taken from a boat adjacent to a set of floating bags. The photos do not show how the entire installation appears from a shoreline. The visual representations included in their PowerPoint presentation were not adequate to gauge the visual impact from either side of Oakland Bay. It would be very valuable to have a three dimensional 6' to 10' long scale model of this section of Oakland Bay, similar to building models prepared by architects for building developments, to allow both the full scale of the project to be shown and allow people to fully understand the project scope. Furthermore, the computer and photo simulation models used in the 1986 study have certainly advanced to a stage where preparation of quality exhibits, available at very reasonable expense, can be a required component of the County's review process.

### ***Construction and Operational Issues***

During the hearing, Taylor personnel stated the flotation system would be constructed over a three year period. The Taylor Shellfish JARPA form states construction would start "fall 2023" and provides "Ongoing" in response to the "End Date" requested in this section of form. It is foolhardy to presume a three year construction window based upon the JARPA.

Also, the number of floating bags is subject to confirmation, despite Taylor's comments there will be up to 30,000 bags in this facility. Reading the submissions, bags are either 37" x 43" or 36" x 18" and have a depth under 24" when fully stocked with oysters. The system is described as being placed in three "stacked systems"; we interpret this to mean there will be up to three layers of bags - each two feet deep - installed on the surface of Oakland Bay. In other words, we will have at least six feet of area impeding travel of fish and mammals. Under the best case scenario, what we are describing is allowing the equivalent cubic area of a 100,000 square foot 24' clear height concrete tilt up warehouse to be installed in the middle of the bay!

The applicant has stated their \$3.5 million investment will provide three to five jobs for the ongoing operation, but the SEPA checklist states there will "Approximately 10 employees" operating the site. The employees will be working from two or three boats and be "on site" between 4 and 5 hours each weekday. Taylor has stated they will not work the site on weekends (unless there is an emergency), but even now Taylor vessels operate in Oakland Bay seven days a week. How can this limitation be enforced?

Also, the filings state the initial term of the lease will be ten years; for a vast majority of long term land leases, options to renew or extend are included in the original lease to allow the developer to recoup and protect their initial investment. Realistically, if approved, Taylor Shellfish could operate under the DNR lease for the next 100 years or more! The approval to move forward should therefore be based upon the most sound, reasoned and scientifically valid studies.

Relative to the use approval based upon comments from Mason County Planning and state code and regulations, once a use is approved it may continue in perpetuity so long as the operation is not abandoned

or vacated for an extended period of time. There are currently no performance standards in place to ensure the project does not significantly impact Oakland Bay's environment, and without regulatory controls there is no means available to require Taylor to repair, improve or terminate the operation if the bay is negatively impacted. Most importantly, use approval effectively converts the middle of the bay to a "forever" oyster aquaculture designation based upon the Mason County SMP code.

The Mason County Shorelines code clearly states in Section 17.50.200 (b) (1) General Aquaculture Regulations" (D) that *"Existing aquaculture activities include areas that are actively cultivated and/or dormant. It is presumed that the following areas are dormant and hence existing: areas acquired under the Bush Act of 1895; areas undergoing crop rotation; and areas dormant due to market conditions, seed or juvenile availability, past and current pest infestations or control issues, water quality issues, and other cultivation factors beyond the control of the operator. A presumptively dormant area may, on a case-by-case basis as determined by the administrator, be deemed abandoned provided clear and affirmative information evidencing intent to abandon the area for shellfish farming is provided."*

It appears Taylor has already commenced assembly of the FLUPSY bags in property they own in Chapman Cove, with plans to move the initial sets of bags to the leasehold location upon permit approval. Remarks during the hearing raised many questions which need to be addressed to ensure the neighboring properties are not negatively impacted by noise and odor for the duration of construction and life of the project. Sounds carry extremely easily over bodies of water and it is already very easy to hear construction noise on either side of the bay when homeowners are carrying out repairs. The possibility of vessels moored adjacent the FLUPSY apparatus for multiple hours at a time causes great concern amongst the residents of Oakland Bay's shoreline. In addition to the noise created by employee conversations and day to day operations, Taylor stated generators would be operating to power their equipment; this is not acceptable - particularly when Taylor states there will be two to three vessels working the facility, many times simultaneously.

Key questions to be answered prior to any Hearing Examiner decision should include the following:

- Construction Phase:
  - What hours will construction be taking place?
  - Will they limit construction hours to the stated "four to five" working hours under which Taylor supposedly expects to operate when construction is substantially completed?
  - How many months are projected to arrive at 50% completion and eventually 100% completion?
  - How many employees or contractors will be engaged in the middle of the bay during installation? We certainly anticipate more people than the "minimal" 3 to 5 employees needed to operate the facility upon completion, and likely more than the 10 employees indicated in the SEPA application.

- How will employee sanitation be handled during construction? Will the vessels have restroom facilities?
- What precautions will be taken during installation to ensure minimal damage to the floor of the bay?
- Will construction of the facility be conducted year round?
- Operating Phase
  - What guarantee can Taylor provide the day to day operation at the site will be limited to four or five hours?
  - If the operating hours exceed four to five hours will there be any monetary penalty to Taylor?
  - Why cannot the operating hours during the winter months be limited to full daylight and not extend from dawn or into dusk?
  - How many days of the week will two to three boat be working at the FLUPSY facility?
  - How long will at least two boats be expected to be at the site during normal day to day operations?
  - Will Taylor guarantee that outside of an emergency, they will not operate Saturdays and Sundays at the site?

There should be some expectation of honest transparency on Taylor's part. To date, Taylor has obfuscated the truth of their proposed operation by providing only minimal descriptions without proper models or design drawings, and in several instances sarcastic responses to concerns raised by the citizens of Mason County. They seem to circumvent the truth to minimize the size and impact of their development. They know very well what they want to do and provide partial truths to enhance their ability to obtain a “green light so they can move forward without limitation.

### ***Code Issues***

Several sections of the Mason County Code provide concern relative to the approval process for the Taylor Shellfish project. In this section I have highlighted language bearing directly upon any entitlement questions for the Taylor project.

Land Use: Zoning classification. As stated in my testimony and prior letter, the zoning on both sides of Oakland Bay is Rural Reserve 5 Acres, which does not allow industrial or commercial operations, aside from “cottage” industries. Under code Section 17.02.062, it provides the treatment for waters of Oakland Bay should also be considered Rural Reserve 5 Acres:

#### 17.02.062 - Uncertainty of boundaries.

When uncertainty exists as to the boundaries of areas as indicated on the development areas map, the following rules shall apply:

- (1) All water areas, waterways, alleys, roads, streets, highways, railroads, and other rights-of-way, if not otherwise specifically designated, shall be deemed to be in the same development area district as the property immediately abutting upon same;

Considering the code section referenced above, there is no manner under which Mason County can justify approving the Taylor Shellfish aquaculture site as proposed; the “largest installation in the world”, as confirmed by Erin Ewald in the first portion of this hearing, does not qualify as a “cottage industry”. Moving forward with any approval is irresponsible.

Relative to other key aspect of the code, I have pasted in key sections with language addressing areas of concern, or where the proposed project does not meet the standard, italicized and underlined:

17.50.250 Recreational.

(a) Recreational Policies:

- (6) The following regulations shall apply to artificial aquatic life habitats:

(A) Habitats shall not interfere with surface navigation;

(B) Habitats shall be constructed and moored so as to remain in their original location, even under adverse current or wave action;

(C) Conditions of the state departments of fish and wildlife hydraulic project approval may be incorporated into any permit issued.

Section 17.50.400 – Permits, exemptions and appeals

(a) General Requirements for All Uses and Development.

- (1) No authorization to undertake use or development on shorelines of the state shall be granted by the county unless upon review the use or development is determined to be consistent with the policy and provisions of the Shoreline Management Act and this master program. The burden of proving that the proposed development is consistent with these criteria shall be on the applicant.

Further review of this code section establishes the following for Substantial Development Permits, Conditional Use Permits and Variance Permits:

(3) Review Criteria.

(A) Review Criteria for Substantial Development Permits.

(i) Any person wishing to undertake substantial development on shorelines shall apply to the county for a substantial development permit.

(ii) A permit shall be granted only when the proposed development is consistent with:

a. Policies and regulations of the Mason County Shoreline Master Program and applicable policies enumerated in Chapter 90.58 RCW in regard to shorelines of the state and of statewide significance; and

b. Regulations adopted by the department of ecology pursuant to the Act, including Chapter 173-27 WAC.

(B) Review Criteria for Conditional Use Permits.

(i) The purpose of a conditional use permit is to allow greater flexibility in varying the new application of the use regulations of the master program. Conditional use permits should also be granted in circumstances where denial of the permit would result in a thwarting of the policy enumerated in RCW 90.58. In authorizing a conditional use, special conditions may be attached to the permit by the county or the department of ecology to *prevent undesirable effects of the proposed use.*

(ii) Uses which are classified or set forth in the master program as conditional uses may be authorized provided the applicant can demonstrate **all of the following:**

a. That the proposed use will be consistent with the policies of RCW 90.58 and the policies of the master program;

b. That *the proposed use will not interfere with the normal public use of public shorelines;*



- c. That the proposed use of the site and design of the project will be compatible with other permitted uses within the area and with uses planned for the area under the comprehensive plan and shoreline master program;
- d. That the proposed use will cause no significant adverse effects to the shoreline environment in which it is to be located;
- e. That the public interest suffers no substantial detrimental effect.

(C) Review Criteria for Variance Permits. The purpose of a variance permit is strictly limited to granting relief to specific bulk, dimensional or performance standards set forth in the master program, where there are extraordinary or unique circumstances relating to the property such that the strict implementation of the master program would impose unnecessary hardships on the applicant or thwart the policies set forth in RCW 90.58.020.

(i) Variance permits should be granted in circumstances where denial of the permit would result in a thwarting of the policy enumerated in RCW 90.58.020. In all instances the applicant must demonstrate that extraordinary circumstances shall be shown and the public interest shall suffer no substantial detrimental effect.

(ii) Variance permits for development and/or uses that will be located landward of the OHWM, and/or landward of any wetlands, may be authorized provided the applicant can demonstrate all of the following:

- a. That the strict application of the bulk, dimensional or performance standards set forth in the master program precludes or significantly interferes with a reasonable use of the property not otherwise prohibited by the master program;
- b. That the hardship which serves as a basis for the granting of the variance is specifically related to the property of the applicant, and is the result of unique conditions such as irregular lot shape, size, or natural features and the application of the master program, and not, for example from deed restrictions or the applicant's own actions;
- c. That the design of the project will be compatible with other authorized uses in the area and with uses planned for the area under the comprehensive plan and

this program and will not cause adverse effects to adjacent properties or the shoreline environment;

d. That the variance authorized does not constitute a grant of special privilege not enjoyed by the other properties in the area;

e. That the variance requested is the minimum necessary to afford relief; and

f. That the public interest will suffer no substantial detrimental effect.

(iii) Variance permits for developments and/or uses that will be located either waterward of the OHWM, or within wetlands, may be authorized provided the applicant can demonstrate, in addition to items (ii)b—f. above, that:

a. The strict application of the bulk, dimensional or performance standards set forth in this master program precludes all reasonable use of the property;

b. The public rights of navigation and use of the shorelines will not be adversely affected by the granting of the variance.

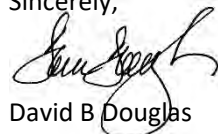
(iv) In the granting of all variance permits, consideration shall be given to the cumulative impact of additional requests for like actions in the area. For example, if variances were granted to other developments in the area where similar circumstances exist the total of the variances should also remain consistent with the policies of RCW 90.58.020 and should not produce substantial adverse effects to the shoreline environment.

(v) Variances from the use regulations of this master program are prohibited. Requests for varying the use to which a shoreline area is to be put are not requests for variances, but rather requests for conditional uses.

Attached you will find three map exhibits which will assist in review of the comments in this letter.

Thank you for your consideration.

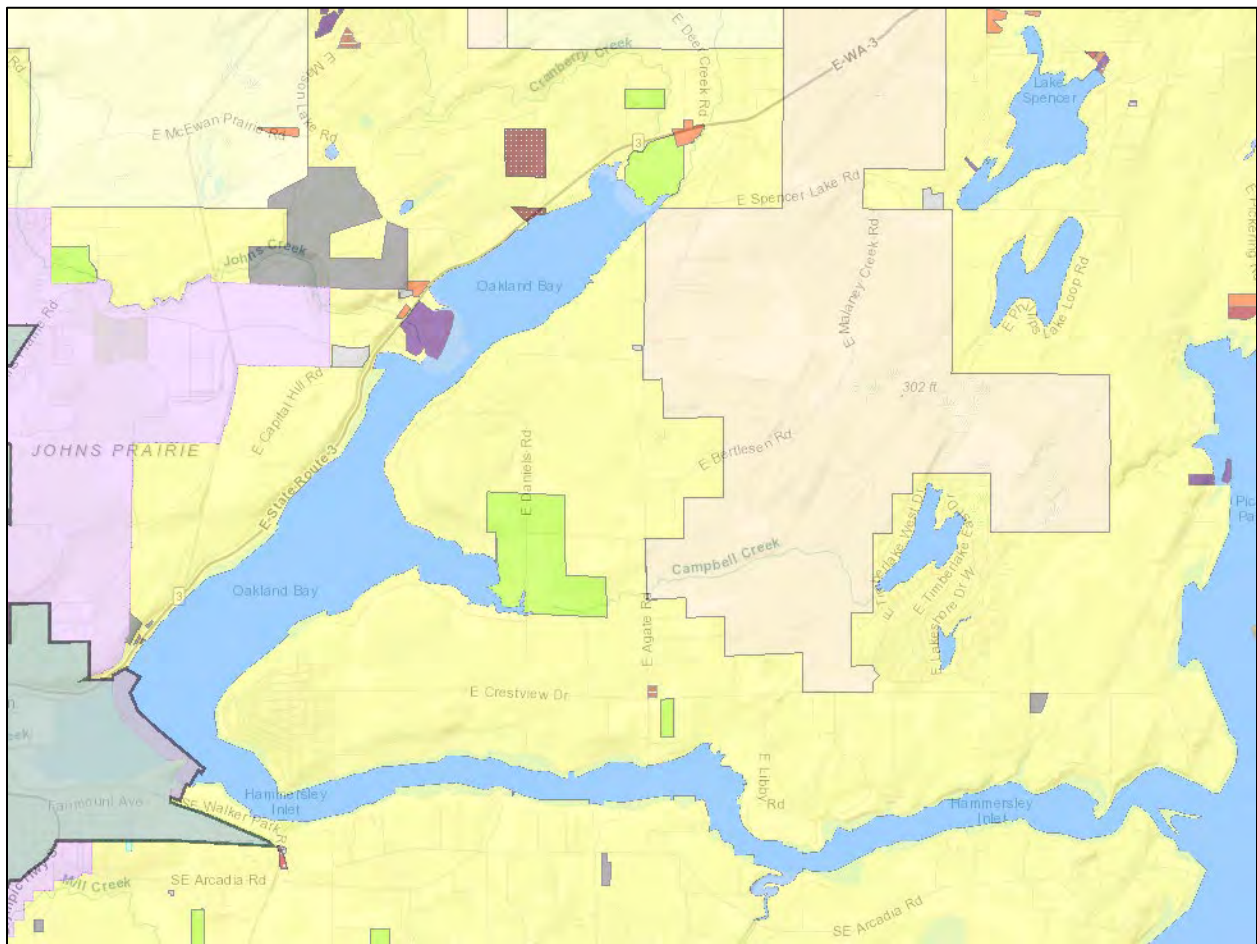
Sincerely,



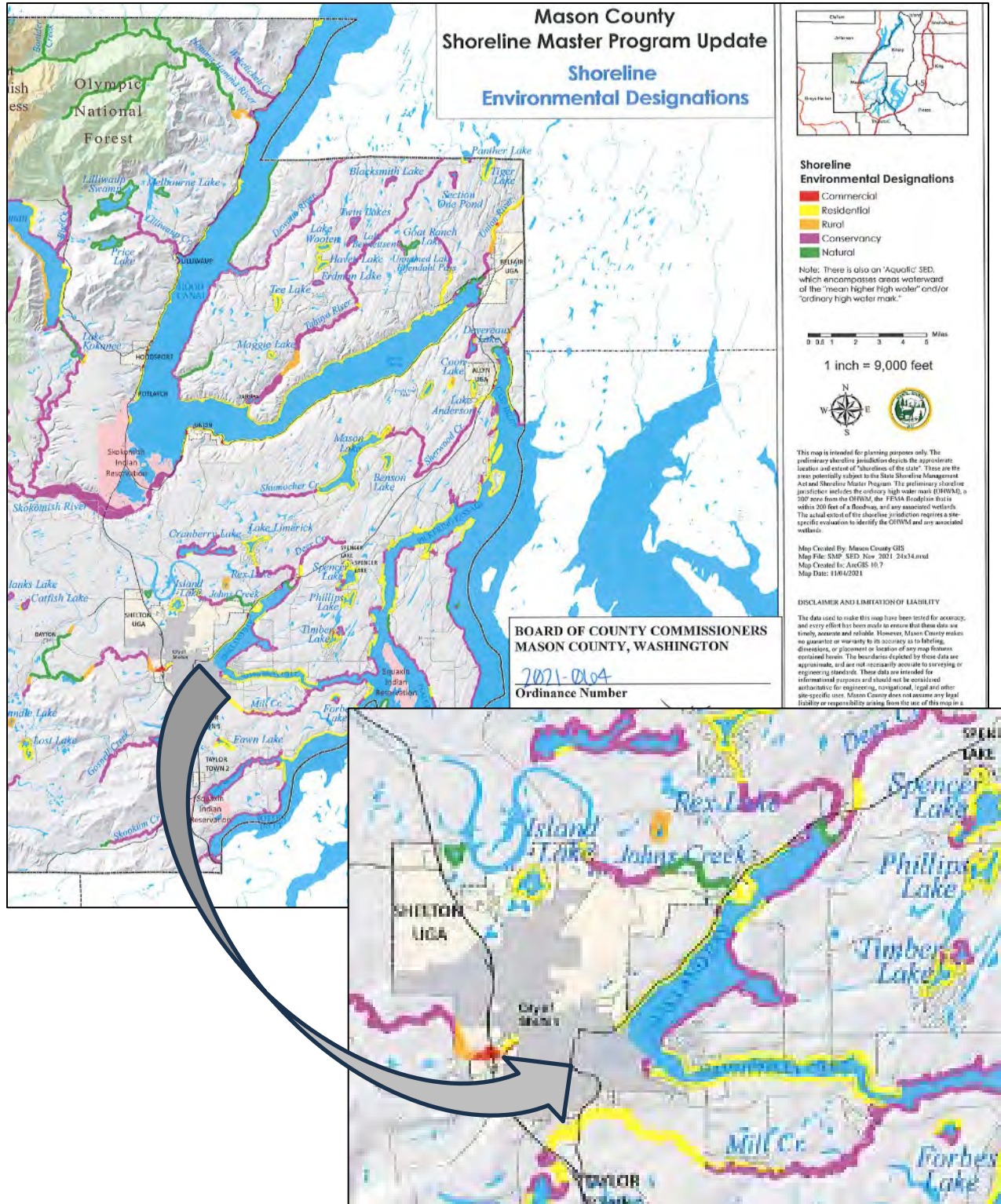
David B Douglas

**Mason County Zoning Map**

- Yellow: Rural Residential 5 Acres
- Tan: Rural Residential 10 Acres
- Dark Purple: Rural Tourist
- Pink: Urban Growth Area
- Light Green: Agricultural Resource Lands



**Shoreline Environmental Designations**





**Luke Viscusi**

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**From:** prbill110 <prbill110@comcast.net>  
**Sent:** Wednesday, August 16, 2023 12:41 PM  
**To:** Luke Viscusi  
**Subject:** Taylor Shellfish Oakland Bay Proposal Hearing Continuation (SHR2023-00003)  
**Attachments:** 20230816\_124017.jpg

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Luke:

I would like you to forward this email to the Hearings Examiner.

Please confirm receipt & that it was forwarded to Hearings Examiner.

Your Honor:

There were a number of people who spoke at the hearing who said that perhaps Taylor should be allowed to institute a smaller project. If that were successful, then they could take on something larger in scope.

First, as previously stated, a larger project would be in violation of County Statutes for its adverse visual impact and impediment to navigation. Why would we entertain the investment of a smaller project, possibly leading to a larger project?

Also, Taylor has shown that they are not to be trusted due to misstatements and untruths during this process. Misrepresenting the physical size as only being 9.1 acres. It is actually taking a footprint of 50 acres. They misrepresented other projects as being comparable, when in fact, they were much smaller and on a larger body of water and on and on!

If they were to take on a smaller project in Oakland Bay, I don't believe that they could be trusted to present the results in an honest manner. We could end up with an aesthetically unpleasant view with limited navigational access, as well as adverse impact to the Bay.

We say that we own this land, when we are really just caretakers.

Attached is a picture of an arrowhead that I found on the beach on Oakland Bay. I can imagine that a Native American hunter in the late 1800s was hunting deer in this area. If this project is approved and installed, he must be looking at us and saying, "What in the hell did you guys do!"

Please don't approve this project. The future of our natural resources is at stake!

Bill & Florence Fierst





**STATE OF WASHINGTON**

**DEPARTMENT OF AGRICULTURE**

*PO Box 42560 ♦ Olympia, Washington 98504-2560 ♦ <http://agr.wa.gov> ♦ (360) 902-1800*

August 16, 2023

Luke Viscusi, Planner  
Mason County Community Development  
615 West Alder St  
Shelton, WA 98584

Re: Shoreline Substantial Development Permit (SHR2023-00003)

Dear Mr. Viscusi:

Thank you for the opportunity to provide comments regarding the proposed Taylor Shellfish floating oyster bag farm in Oakland Bay.

I have reviewed many of the written comments and oral testimony you received and thought it may be helpful to provide you an added perspective on the broader public interest of expanding shellfish aquaculture in WA. Aquaculture can increase food production, boost economic growth in rural areas, and help keep our waterways clean.

As established by statute, the Washington State Department of Agriculture (WSDA) supports both sustaining existing shellfish farms and expanding aquaculture production in WA. The legislature has declared (RCW 15.85.01) that, “aquatic farming provides a consistent source of quality food, offers opportunities of new jobs, increased farm income stability, and improves balance of trade.” Further, the legislature declared, “It is therefore the policy of this state to encourage the development and expansion of aquaculture within the state.”

Aquaculture plays a substantial role in food security and nutrition by increasing the amount of domestic seafood available to eat and providing a nutritious and healthy protein source. The global population is more than 7 billion and wild fisheries cannot meet increasing demand for seafood alone. In 2020, seafood imports to the US have resulted in a trade deficit of \$17 billion, importing more than 80% of the seafood we eat. The US has some of the most rigorous environmental and food safety standards in the world. Sustainably growing domestic seafood provides fresh, local seafood as an alternative to global imports.

Our state is the leading producer of farmed shellfish in the nation and is sought by consumers around the world. WA’s shellfish industry has been a cornerstone of rural coastal economies, providing year-round jobs. Shellfish aquaculture contributes \$270 million annually to WA’s economy and 3,200 local jobs. Shellfish aquaculture is important in rural counties, diversifying their local economies. Expanding aquaculture opportunities in these communities provides additional jobs both directly on-farm, and indirectly.



Commercial shellfish cultivation has taken place in Washington's waters since the mid 1800's and the industry has continually adapted over the last 150 years, focusing on food production and environmental stewardship. Washington shellfish farms are supported with exceptional research and shellfish farming helps keep our waterways clean by filtering excess nutrients and providing valuable habitat.

Please let me know if I can provide any further information.

Sincerely,

A handwritten signature in black ink that reads "Laura Butler". The signature is written in a cursive, slightly slanted style.

Laura Butler  
Aquaculture Coordinator

The following comments on the Taylor Shellfish proposed Oakland Bay Floating Oyster Bag System are submitted in addition to comments I have previously submitted opposing the proposal. It is an unfortunate necessity to augment the record in response to so much new information provided by the applicant at the virtually the last minute of this public comment process.

First, I endorse the following recommendations provided by Black Hills Audubon Society (BHAS) with their August 7 public comment letter to Mason County:

**(1) Updates must be applied to the application documents, to correct inaccuracies, fill in gaps in relevant information, use one consistent frame of reference (e.g., Oakland Bay) for all calculations, remove irrelevant references and comparisons (Baynes Sound and Totten Inlet), and resolve inconsistent information provided across documents, especially the 04-JARPA, 06-SEPA and 08-HMP.**

**(2) Perform a full Environmental Impact Analysis by a disinterested 3rd party, to give a more well-informed picture of the short and long-term environmental impacts before a decision to go forward is granted.**

**(3) Require conditions and operations that actually meet the Clean Water Act, NEPA, Washington State Pollution Act aims and goals.**

**a. Do not rely on the 2016 USACE Programmatic guidelines to meet these standards, since USACE rules were criticized and their national permit 48 struck down for not meeting CWA and NEPA criteria.**

**The updated version of the USACE permitting has already had a complaint lodged for much the same reasons.**

**b. Do not rely solely on the existing Washington state templates for analyzing the impact, but instead do a full site assessment, considering all of the unique aspects of this Project and site.**

**This project has a number of unique elements, which are not fully covered in the existing regulatory forms and checklists. The Floating Bag Oyster Farm has components which are traditional oyster aquaculture (cracking, sorting, harvesting cycles), but also components which are like a marina – mooring lines and anchors, and also components which are simply unique – like moving the whole floating part of the farm off the lease site elsewhere for a period of weeks so the tribes can fish.**

**For this reason, additional detail is needed on plans, programs for mitigation, and risk assessment.**

**c. Do not rely on industry “best management practices” and efforts which will “minimize impact” on the environment from the applicant – these are just vague assertions of protection, and have no criteria associated with them for measurable results. They do in fact imply (“minimize”) that there WILL be a certain amount of “incidental take” of wildlife, but they don’t say how much, and the current USACE permitting rules only require self-reporting of any such environmental protection failures.**

**Our fear is that without a full EIS, this operation may threaten the wellbeing of endangered and priority species, and all other wildlife in the area, and the permit allowing it to operate will not meet the regulatory requirements of the CWA and NEPA.**

**(4) We would ask, that if a permit is granted, the following conditions be added:**

**a. A condition which requires an outside scientific authority to monitor the site frequently.**

**The goal of the monitoring will be to ensure that wildlife – birds, marine life, salmon, orcas, etc. – are in fact protected from harm coming from the project and that plastic gear, chemical and biological pollutants are not accumulating in the bay water or any of the wildlife/organisms in the bay.**

**b. A requirement to make publicly available all records related to wildlife entanglements, unusual poor health, measured bioaccumulation of toxins in any species or increased mortality rates of any particular species of wildlife in Oakland Bay.**

**c. A requirement to make publicly available all records related to aquaculture loss events (broken line, e.g.) or bacterial/algal outbreaks or other unintended / unexpected events that may have impacts outside of the lease area in the bay.**

**d. A requirement to track and make publicly available all records related to plastics loss from the lease area. Ideally, provide a way to ‘tag’ the ropes, buoys, floats, mesh bags, and anchors, so that when loss occurs, any damage caused by it can be more easily traced to the source, and proper action taken.**

BHAS summarized well the potential for the proposed project to result in negative impacts on fish species, dismissed or ignored by the applicant:

**As listed below, the WA State Dept of Fish and Wildlife has identified several species of salmon in the stream immediately adjacent to the upper Oakland Bay, including Chinook. Several of the anadromous species spawn in these streams and migrate north to south through the bay during their life cycles. The Bayshore Reserve provides guided tours in the fall to watch the Chum Salmon as they make their spawning run up John’s Creek. The juvenile salmon spend some part of their early life in the shallows of Oakland bay in the estuary by the mouth of that creek, and Uncle John’s creek, off the wetlands end of Chapman Cove has recently been improved with a proper culvert to ensure it is now available as a restored salmon spawning stream as well.**

**BHAS is concerned that the proposed project impact has not been sufficiently analyzed for the trophic and water quality impact on Chinook Salmon (on the Endangered Species list). NOAA’s map of critical habitat for Chinook covers the entirety of Oakland Bay. We don’t know what the physical impact on the Chinook will be, but do expect, after seeing the bay at low tide, that there will be close physical proximity of migrating salmon to the project gear. In addition to the trophic concerns, salmon are sensitive to pollutants, and we don’t know what’s going to leach into the bay waters from the plastics used in the gear. Artificial light also can have detrimental impacts on juvenile salmon populations (maturation rates and predator success), so it’s important to assess the impact of navigation lights on the gear as well. It is crucial from a wildlife and Endangered Species Act perspective, that the juvenile Chinook have enough food to eat and the water quality in Oakland Bay is sufficiently high for them to survive and thrive. BHAS is not convinced the current environmental assessment and permitting process is complete enough to ensure this.**

The BHAS address of impacts on species of salmon, shows the insufficiency, or dismissal without clear reasoning, of the applicant’s address of potential impacts on including Chinook and Steelhead. An example of that insufficiency regarding Steelhead is found in the Habitat Management Plan (Exhibit 8, page 33)

**The proposed Project does not constitute a barrier to fish during their migration, or impacts to spawning areas, foraging areas, or rearing habitat. This is based on several reasons:**

- **The proposed Project is sited away from the shoreline and outside of migration channels. Documented impacts to migratory fish are associated with structures that extend out from**

**upland into intertidal areas – such as docks and piers (Ward et al. 1994; Burdick and Short 1999) – rather than gear that is floating in subtidal areas that does not significantly change the ultimate functions of the area.**

This point was also made August 9 testimony of Confluence Environmental employee Chris Czesla. But contrary to this argument, on page 20 of the HMP, is the statement admitting that Steelhead are present and migrating within the project area:

**Steelhead present within the action area would likely be migrating and are unlikely to occur in the area for an extended period.**

Despite the acknowledgement that Steelhead migration and presence in the project area is different from Chinook salmon, the applicant summarizes the impact as being the same (Exhibit 8, page 40)

**Steelhead (PS DPS) - Minor to Discountable - Same conclusions as for Chinook salmon**

My August 9 testimony challenged Mr. Czesla’s contention that migrating juvenile Steelhead were not likely to be impacted by the floating oyster bag system, citing evidence of juvenile migration behavior for Hood Canal Steelhead, and that the floating oyster gear placed in the middle of Oakland Bay, and in the surface waters (0 to 3 feet), will coincide with those migrating juveniles. The statement of the applicant-

**The proposed Project does not constitute a barrier to fish during their migration**

- is inaccurate and not supported by available evidence.

BHAS focused on several other inaccuracies of the applicant’s proposal, including the conclusion of no impact to marine mammals. The applicant’s statement in the HMP (page 37) that-

**The primary impact mechanism identified by the Corps (85 FR 57332) of shellfish aquaculture activities on marine mammals is entanglement.**

- ignores the most likely impact of such a large floating bag system in Oakland Bay, as described by BHAS, that –

**Marine mammals, especially Orcas, need swimming space when they are in the bay**

- and that swimming space is dramatically reduced by the project’s presence. It is not just about entanglement.

#### Erin Ewald’s August 9 testimony and presentation

At the August 9 public hearing, Taylor made available for the first time, and effectively at the close of the public comment period, a detailed explanation of the layout of floating bags proposed for the 50 acre site. The graphic displays on slide 8 of the Erin Ewald presentation are artistic renderings of the expected system, reflecting that such a system has never been installed at a scale anything like the proposed layout, by anyone, anywhere. Typical of so many inconsistencies with information provided by Taylor Shellfish Farms throughout the very brief public comment period, the graphic on the left side of slide 8 does not match the description of the system presented on another slide (3). Ewald explained and the slide 3 described the system having “up to 30 double lines”. In contrast, the graphic rendering of the system on slide 8 has **38** lines. The graphic on slide 3 shows the system occupying much less than the full 50-acre site with a 1,000-foot width. Calculating the total width of the system with “30 double lines”

separated by a 30-foot space between each set of double bags (each bag 4' x 4'), results in more than the full 1,000-foot width being used (only 27 double lines fit within the 1,000-foot total site width). The full 30,000 bags will not fit within the full site (2,500 feet total length would be required assuming a 6' gap between bags, although a much larger gap is shown in the graphic on slide 16). With this presentation by Erin Ewald, the public has again seen a misrepresentation of the actual scope of the proposal. Just as Taylor has repeatedly used the exaggeration that the "Project adds approximately 0.3% of culture to the subtidal zone in Oakland Bay", when nearly one-third of the width of the Bay is actually being used to hold the proposed 30,000 bag system, the August 9 presentation appears to be consistent only in under-representing the immensity of the project and confusing the concerned public.

Other information with the Ewald presentation is also likely to confuse the concerned public. In slide 3, the project's siting is described as "System will be situated 1,000' – 1,500' from shoreline." Taylor claims this siting distance will ensure the That distance from the shoreline is not consistent with Best Management Practices, specifically for siting large aquaculture projects 1,500 to 2,000 feet from the shoreline

#### "Mason County is Innovating and Expanding Economic Opportunity"

With her August 9 presentation, Erin Ewald changed her expectation of the economic impact of Taylor's proposed project from "**a crew of 2-5 people, with a dedicated shift during daylight hours**" (Exhibit 20, May 17) to "**3 to 5 full time positions**" (August 9 presentation). No description of the project's contribution to the Mason County economy was provided; no explanation of whether these are new jobs or simply re-deployed from the existing work force. It is likely that the jobs are re-deployed, consistent with the expectation that the project will result in an "**increase in labor productivity.**" Assuming a total of four new jobs are created, and relying on Ewald's presentation that Taylor Shellfish currently employs over 500 people with a annual payroll of over \$20 M, the floating oyster bag project would increase Taylor's employment by just 0.8%, increasing the total payroll by just \$160,000. An average wage of just \$40,000 per employee means that half those employees are making less than that amount. Those figures do not comport with the impression given by Taylor that the project will result in **Innovating and Expanding Economic Opportunity.**

#### Water Quality

The Taylor presentations of August 9 claimed there exists "**a strong relationship between aquaculture presence and water quality.**" That may be true, but it is not logical that a causal relationship exists, as implied, that installing the proposed new floating oyster bag system will result in improved water quality. It is unlikely that an aquaculture project would be sited in poor quality water; the proposed oyster bag project is sited by Taylor in the middle of Oakland Bay because the water quality is good and productive. No reports of poor water quality in the project site were identified by the applicant. This argument by Taylor Shellfish misrepresents the actual condition of Oakland Bay's water quality as needing correction.

The video presented by Mr. Czesla showing a bag of adult oysters suspended in a water tank is visually effective but does not demonstrate any real change in water quality. Water *clarity* is not water *quality*. Such visual tank demonstrations have been presented by oyster growers routinely, and along with statements made without evidence that each oyster will filter **50 gallons** of water per day. An oyster's filtration rate depends on a lot of environmental factors.

**“They don’t feed much at very low temperatures and get stressed out at super high temperatures,” he explained. They tend to be hungriest when the water is in a 10-degree range from the high 60s to high 70s Fahrenheit.**

**Consequently, he pointed out, Bay oysters don’t eat or filter water year-round — not when a frigid winter sets in or when summer turns blistering. (Pumped-up performance: Oysters’ filtering feat overstated, Bay Journal, Timothy B. Wheeler, May, 2020).**

Ewald’s presentation clarified that the project was primarily for production of seed, not adult oysters. Seed oysters cannot be as effective as adult oysters at filtration, especially in a top-water situation with elevated temperatures and enclosed in plastic bags.

Studies have been conducted on adult, bottom-cultured or reef-cultured oysters. No studies have been conducted to measure effects of filtration by floating oysters, especially floating *seed* oysters. Results are highly variable – warm water may cause them to stop filtration. Taylor has not conducted any studies with the floating culture projects they have in place, such as the 3,000-bag floating system at Fanny Bay, B.C. It is irresponsible to sell this message without conducting studies representative of the proposed project and with actual measurements to demonstrate real effects.

#### Shared Space, Reliance on Non-authorities, and Infringement on Private Property

With slide 12 discussing the topic of **Shared Space**, Erin Ewald stated that

**“according to other users in Oakland Bay, motorized recreation including jet skis and water skis are not favored activities in the area due to the smaller size of the Bay – they are more popular in Totten Inlet. Kayakers and paddle boarders do use the area, and have frequented the existing near-bottom operations to chat with employees about aquaculture.”**

This is another example of the use of subjective views without relevant credentials or professional expertise conveying the impression of objective, scientifically collected opinions to make a point favoring their proposal, without seeking professional expert opinions. (See Pattillo August 9 Comments – “No evidence is available that Mason County representatives attempted to contact experts knowledgeable recreational boating”) The record is replete with testimony from local residents that consider motorized water recreation on Oakland Bay a favored activity, and that routinely use non-motorized watercraft, including kayaks and paddleboards in the area -without visits to chat with Taylor employees. This discussion by Ewald seemed to misrepresent the true condition of water recreation activity in the project area.

Contradicting this misrepresentation of recreational activity in the area, Ewald discussed the applicant’s proposal to mitigate lost recreational access in the Bay – **“to offset the minor recreational activity”** – by granting access to Taylor Shellfish tidelands. Ewald described that tideland access as providing “kayak rest points” and that the applicant had reached out to Washington Water Trails to include those tidelands to inform the public of this access opportunity. Taylor made no effort to reach out to the adjacent landowners for comment on this mitigation package. The real situation with these Taylor access parcels, known well by the adjacent upper tideland owners, is that kayakers cannot “rest” their vessels on the deep mud when the tide is low enough to expose those properties. If kayakers or paddleboarder attempt to rest their craft on those Taylor-granted parcels – perhaps encouraged by the uninformed and inaccurate description of “kayak rest points” provided by Washington Water Trails - they can only rest by accessing the adjacent upper tideland properties that are privately owned. This will lead to chats with those private landowners regarding trespassing.

### Scale of the Proposal

Cause for concern for the enormous leap in scale represented by this proposal compared to any existing or previously implemented floating oyster bag system was explicitly illustrated by the applicant - for the first time on August 9 – with the description of the number of oyster bag expected to be deployed in Oakland Bay (30,000) compared to the number of bags (3,000) deployed with the largest existing project owned by Taylor Shellfish in British Columbia. This order of magnitude increase in scale is proposed without the assistance of any scientific studies conducted by Taylor with the existing British Columbia project that has been in place for more than ten years to assess key potential effects resulting from system implementation. The record contains no documentation of experiments conducted, or measurements taken to evaluate changes to water quality, oyster filtration rates, interactions with fish and wildlife with that British Columbia project, or any other Taylor-owned floating oyster bag system. This fact is ample illustration of the intention by the applicant to secure the proposed project - ten times the size of any floating oyster bag project owned by Taylor or by any other aquaculture company in North America – without committing to any scientific monitoring or evaluation.

This concern is about risk and uncertainty of the proposal's enormous scale. That risk is unacceptable to the public, especially given the extremely minor benefits speculated as outcomes by the proponent. The applicant claims negative effects of this immense project are negligible, or will be minimized or avoided. But the record contains no examples of the applicant's willingness to consider changes to the enormous scale of the project as proposed. For example, the applicant dismissed specific recommendations of the Department of Ecology's Washington Aquaculture Siting Study for distance offshore of 1,500 to 2,000 feet arguing without explanation that conformance would be infeasible.

If the proposal moves forward, risk and uncertainty resulting from a lack of scientific studies of potential effects can be reasonably minimized by following the recommendation of Ecology's Siting Study for a phased implementation, coupled with the recommendation by BHAS for oversight of monitoring by independent, third party, scientists.

### Phasing with Monitoring

This concept can best be described as a blend of two control options, density standards and performance standards. As one approach, areas suitable for aquaculture would be described, most likely in conjunction with designations of density. However, only a portion of the designated area would be developed at one time, allowing for monitoring of impacts. Presumably, if a certain level of performance is being met, then an additional increment of aquaculture would be allowed in that zone.

### Summary

Please reject the Taylor Shellfish Proposal to implement a Floating Oyster Bag System in Oakland Bay. Information in the record is insufficient to support the contention of the applicant of negligible impacts on the natural resources and ecological function of Oakland Bay, and the contention of the applicant that no significant losses will result to property and aesthetic values of this beautiful area of Puget Sound.

<https://www.facebook.com/100010881407723/videos/524768256000797/?mibextid=cr9u03>

<https://www.dropbox.com/sh/cwlv09uc497yjl5/AACmVpv2xYGYTS1NGXE7HVL4a?dl=0>



## Please Make This Document a Matter of Public Record

The following photos are of some of the personal watercraft that were using Oakland Bay Saturday, August 12. I do have date/time information for the images. There were other boats out during this time that I did not photograph.

Taylor's assertion that there is very little recreational use of Oakland Bay is just flat out wrong. I live by the water and frequently see power boats, kayaks, sailboats, and even the occasional jet ski in front of my place which is just across from Chapman Cove ... right where this navigational blockade to the public would be located. Furthermore, sailboats would be restricted access to the north part of Oakland Bay due to the narrow passageways that would make tacking impossible.

Please do the right thing and favor the public interests over the financial interest of Taylor Shellfish.

Thank you.

Bill Morissette

2350 E State Route 3

Shelton, WA









RE: EXHIBIT 23 - Taylor Shellfish's Oakland Bay Floating Oyster Aquaculture Proposal

1) To mitigate the impact to the community, Taylor proposes to provide public access to a majority of private tidelands that Taylor does not lease or own, as per Exhibit 23, Figure A, area 2. Taylor would allow the general public, access by boat/kayak/canoe, etc, starting with Plat 31 and heading southwest toward Sunset Bluff Park at the end of Sunset Rd. **Starting with Plat 26**, the private tidelands are owned by private homeowners (**not** Taylor Shellfish), from the High Water Line to the Meander (low) Water Line. Where would the public beach their watercraft? My understanding is that Taylor leases or owns below mean (Meander line) low tide along the Plat of Sunset. The public would have a difficult, if not impossible time landing and securing their watercraft below mean low (Meander line) and walking through Taylor's leased/owned(?) strip of thick mud tidelands to reach Figure A, area 1, which is below Sunset Bluff Park at the end of Sunset Rd, Oakland Bay, Shelton, WA.

2) Wouldn't it be awesome for the general public to be made aware of the public boat launch managed by Taylor Shellfish and WDFW that would provide access to Oakland Bay? I have yet to see signage on Highway 3 stating that there is a boat launch available for the public's use in launching their watercraft.

3) On Saturday, 8/12/23, I walked down the beach toward Chapman Cove during a low tide. I found examples of lost nets/oyster cages littering the beach outside Chapman Cove. Two of the items(nets/enclosures/cages) were smaller, and the other was a larger net folded up with at least one small buoy in the netting. I am concerned that sea life and waterfowl may become entangled in this garbage. Are there more lost nets/oyster cages floating around or on the bottom of Chapman Cove providing a danger to the wildlife?

4) From the August 9, 2023 comments given by supporters of Taylor Shellfish's proposal, I got the distinct impression that they were keen on the idea of getting more oyster seed from Taylor in the future if the proposal was approved. Would it not be better to either enlarge the FLUPSY system presently in operation or add a second FLUPSY operation close to the one currently producing oyster seed?

Please see photos regarding comment #3 on page 2 of this document.

Thank you for considering these comments,  
Kathy Kent-Lanning, Shelton, WA



## **Taylor Shellfish permit (SHR2023-00003) Public Comment**

We are respectfully asking these images to be entered as a public comment in the exhibits to prove that Taylor Shellfish does in fact work 7 days a week.

See both images both:

One taken on Saturday, August 12, 2023

One taken on Sunday, August 13, 2023



## Taylor Shellfish permit (SHR2023-00003) Public Comment



Taylor at work Saturday ... just off Chapman Cove spit

Saturday • Aug 12, 2023 • 3:25 PM [Adjust](#)

 IMG\_3114

Apple iPhone 11

HEIF

Wide Camera — 26 mm  $f1.8$

12 MP • 4032 × 3024 • 405 KB

ISO32 | 135mm | 0ev |  $f1.8$  | 1/3205s

[Add a location...](#)



# Taylor Shellfish permit (SHR2023-00003) Public Comment



Taylor Working Sunday

Sunday • Aug 13, 2023 • 11:04 AM [Adjust](#)

 IMG\_3140

Apple iPhone 11

HEIF 

Wide Camera — 26 mm  $f1.8$

12 MP • 4032 × 3024 • 506 KB

ISO32 | 135mm | 0ev |  $f1.8$  | 1/3401s

[Add a location...](#)



**Luke Viscusi**

---

**From:** Mariah Frazier  
**Sent:** Wednesday, August 16, 2023 7:51 AM  
**To:** Luke Viscusi  
**Subject:** FW: Opposition to Permit Application for Proposed Taylor Shellfish Floating Oyster Bag Farm in Oakland Bay, WA #SEP2023-00007

*Mariah Frazier*

Mason County Community Development  
Clerical/Addressing/Public Records  
(360)427-9670 x365

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**From:** Mark Wilhelm <blueoceansactionsports@gmail.com>  
**Sent:** Tuesday, August 15, 2023 10:08 PM  
**To:** Mariah Frazier <MFrazier@masoncountywa.gov>  
**Subject:** Opposition to Permit Application for Proposed Taylor Shellfish Floating Oyster Bag Farm in Oakland Bay, WA #SEP2023-00007

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Mr. Frazier,

I hope this letter finds you well. I am writing to express my strong opposition to the permit application submitted by Taylor Shellfish Company for the establishment of a floating oyster bag farm in Oakland Bay, WA. As an oyster farmer with extensive experience in Mason County, I believe it is crucial to voice my concerns about the potential impacts of this proposed project.

While I understand the importance of aquaculture in supporting local economies and providing sustainable seafood, I am deeply concerned about the potential negative consequences that the proposed floating oyster bag farm could have on Oakland Bay's fragile ecosystem and the livelihoods of local oyster farmers.

Oakland Bay, with its unique environmental characteristics, is already under considerable stress due to existing aquaculture operations and various anthropogenic activities. The introduction of another large-scale oyster farming operation could exacerbate the existing challenges, leading to adverse effects on water quality, habitat degradation, and overall ecosystem health. As a fellow oyster farmer, I have witnessed firsthand the delicate balance required to maintain a healthy and productive

environment for oyster cultivation, and I fear that the introduction of a new operation without thorough consideration of its ecological impacts could jeopardize the entire bay's sustainability.

Moreover, the potential for competition between existing oyster farmers, like myself, and Taylor Shellfish Company's proposed operation raises concerns about market saturation and reduced profitability. The livelihoods of local oyster farmers in Mason County heavily rely on a stable market and sustainable practices that ensure the long-term viability of our businesses. The influx of oysters from a large-scale operation like the one being proposed has the potential to disrupt this balance, leading to economic hardships for many local families who have dedicated their lives to oyster farming.

I urge you to carefully consider the long-term consequences of the proposed floating oyster bag farm on Oakland Bay and its surrounding communities. Prioritize a comprehensive environmental impact assessment that thoroughly evaluates the potential effects on water quality, wildlife, and local ecosystems. Engage in open and transparent dialogue with local stakeholders, including oyster farmers, conservation groups, and community members, to ensure that all concerns are addressed and that the best interests of the bay and its inhabitants are upheld.

In conclusion, I respectfully request that Taylor Shellfish Company reconsider its permit application for the proposed floating oyster bag farm in Oakland Bay. Let us work together to find sustainable solutions that prioritize the delicate balance between economic development and environmental preservation. I am open to further discussions and collaboration to ensure that the interests of all stakeholders are safeguarded.

Thank you for your attention to this matter. I look forward to your thoughtful consideration and hope for a positive resolution that preserves the unique character and health of Oakland Bay.

Sincerely,

small Mason County WA Oyster Farmer

**From:** Rachelle Harris <rharris333@yahoo.com>  
**Sent:** Tuesday, August 15, 2023 3:43 PM  
**To:** Luke Viscusi  
**Subject:** Opposition to Taylor Shellfish Oyster Farm, Oakland Bay

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Good afternoon Mr. Viscusi,

I am writing to express my vehement opposition to the proposed Taylor Shellfish oyster farm in Oakland Bay. I just purchased my home in Bay Vista in November, 2022, specifically for its unobstructed view of Oakland Bay. When I learned earlier this year of Taylor's desire to construct an oyster farm on the Bay, thereby marring my view, I was understandably upset since not only will it affect my daily peaceful enjoyment, but will also negatively impact my homes value.

I was not able to attend the meeting last week, but understand it was abundantly clear that one of the primary reasons Taylor wants to construct this oyster farm is to raise their profits. It should be taken into consideration, then, that while Taylor may benefit monetarily, the residents around the Bay will all suffer due to lower home values and a harder time trying to sell homes when the time comes.

It is my understanding that Taylor has increased their activity in the Bay over the last few years, with this summer seeing some of the highest activity of boat and human traffic in the water and on the tidelands. This activity can be very loud, especially at night when the sound carries. There have been several occasions where my two small dogs have either been scared by what can sound like claps of thunder, or have begun barking uncontrollably due to the loud noises coming from the water.

I'm sure there has been much data introduced regarding the negative environmental effects this oyster farm could present. Other oyster farms have reported the introduction of diseases and parasites, such as flatworm and mud-worm. Shading by the oysters and their accompanying infrastructure can have a detrimental impact on the ocean floor and, because the farm will occupy a huge amount of space, it has the great potential of reducing species dependent on the lower tide zone.

Another negative impact of the oyster farm that will directly affect the residents around Oakland Bay is the accumulation of shell litter and debris. One article I read stated live oysters, shell litter, farm debris such as oyster sticks, and fouling organisms tend to accumulate beneath growing racks and are visible during low

tide. These accumulated materials provide habitats for fouling organisms and persist for many years, even after the cessation of farming.

These adverse effects of pollution, pest introduction and spread can have profound and irreversible consequences to the natural habitats. Every fall there is a large and active salmon run that comes right through the Bay; it is amazing to see all the flying fish. It would be a tragedy if this natural run that has been around much longer than Taylor, were impaired in any way due to an oyster farm and its associated machinery.

Please do not allow Taylor Shellfish to use Oakland Bay for their industrial operations. I am sure there are less populated areas that Taylor could construct this farm, as well as the future farms they are planning. A different area might be less convenient, or cost slightly more to cultivate, but since Taylor will be making so much money from the farms apparently, I'm sure they'll recoup their investment.

The residents of Bay Vista and Bayshore DO NOT WANT an oyster farm in our backyards!

Thank you for your consideration,

Rachelle Harris  
31 E Sandpiper Ln, Shelton, WA 98584  
801-755-4240

*Farmed Geoduck Clams*

**ARCADIA POINT SEAFOOD**

*On Totten Inlet, Puget Sound, Washington*

August 15, 2023

Mr. Luke Viscusi, Planner  
Mason County Community Development  
615 W. Alder Street  
Shelton, WA 98584

Email: [LViscusi@MasonCountyWA.gov](mailto:LViscusi@MasonCountyWA.gov)

Re: Taylor Shellfish Farms Oakland Bay  
Project SHR2023-00003

Dear Mr. Viscusi,

I submitted a comment letter dated August 8, 2023 in support of the project proposed by Taylor Shellfish Farms to grow Pacific oysters and install a floating oyster bag system in Oakland Bay (SHR2023-00003). Based on some of the testimony given at the August 9 hearing, I would like to add the following to my comments to ensure it is part of the public comment record.

There were many concerns raised at the August 9 hearing by residents of Oakland Bay regarding the visual impacts of the proposed project, and why it should be denied based on those impacts. I believe it is important to keep in mind how the State Master Program, in implementing the Shoreline Management Act, addressed this issue. Quite reasonably, it directs locales to adopt provisions to minimize impacts to existing views from public property or substantial numbers of residents. However, it also states that where there is an irreconcilable conflict between water-dependent uses and maintenance of views from adjacent properties, the water-dependent uses have priority (unless there is a compelling reason to the contrary). (WAC 173-26-221 (4)(d)(iv)). Mason County's Shoreline Master Program incorporates this priority principle as well (17.50.145).

There is much more to both the state guidelines and the county regulations with respect to public access, views/aesthetics, and water dependent uses than just the above. My point was not to try to address all of the nuanced trade-offs, but rather to simply ensure that this information was entered into the public comment record for consideration by the Hearing Examiner.

Thank you for your time,  
Vicki Wilson, Arcadia Point Seafood

---

**Steve & Vicki Wilson**  
**240 SE Arcadia Point Road**  
**Shelton, WA 98584**  
**Cert #: WA-1359-SS**

**Blind Dog Enterprises, Ltd**  
**dba Arcadia Point Seafood**  
**Phone: 360-426-4367**  
**wilson99aps@aol.com**



August 16, 2023

Luke Viscusi, Planner  
Mason County Community Development  
615 W. Alder St.,  
Shelton, WA 98584  
Email: LViscusi@MasonCountyWA.gov

Re: Comments on Taylor Shellfish Conditional Use – SHR2023-00003

Dear Mr. Viscusi,

I was not planning to testify regarding Taylor's Oakland Bay floating oyster farm proposal. However, after sitting in on the August 9th hearing and listening to multiple people mischaracterizing Taylor Shellfish as a greedy corporation only caring about their bottom line, I wanted to weigh in to reassure you and the Hearings Examiner that that could not be further from the truth.

I am Director of Public Affairs for Taylor Shellfish and have been since Taylor's created the position 32 years ago. Recognizing the importance of restoring and protecting water quality and supporting the communities in which we farm to the future of the business, Taylor's had the foresight to create my job to do that.

Taylor Shellfish is a family business. Many of the family members were in the audience at last week's hearing. Based here in Mason County, they are leaders in the industry and in the communities in which they farm. They have been growing shellfish here in Washington since 1890 and have received numerous, local, national, and international awards for their leadership, sustainability, and philanthropy.

Taylor Shellfish was the first shellfish company in the United States that I am aware of to develop an Environmental Code of Practice (ECOP) over 20 years ago to ensure their farming practices were having the lightest touch on the environment possible. They are committed to implementing it with routine training for employees. That ECOP has served as a model and motivation for a west coast industry ECOP.

People testifying about how beautiful Oakland Bay is have Taylors and other shellfish growers to thank for it. Collectively they have fought to restore and maintain water quality in the bay starting with suing the pulp mill and testifying in Congress in support of the Clean Water Act when the bay was so polluted no marine life, including shellfish, survived. Today's efforts include working with multiple stakeholders and agencies to address non-point pollution sources.

I also want to share how proud we are of our gender and ethnically diverse workforce, some of whom you heard from last week. Our employees are earning family wages, with medical, vacation and retirement benefits. Fifth generation Marcelle Taylor does an amazing job managing our Human Resources to ensure employees are trained, recognized, and rewarded. We have many employees like me who have worked for the company for decades, which I think speaks volumes about the character and quality of the company and Taylor family.



I wanted to share these observations with you to reassure you that if this permit is approved it will be operated responsibly and will be an asset Mason County can be proud of.

Sincerely,

A handwritten signature in black ink that reads "Bill Dewey". The signature is written in a cursive, slightly slanted style.

Bill Dewey  
Director of Public Affairs  
(M) 360-790-2330  
Email: [billd@taylorshellfish.com](mailto:billd@taylorshellfish.com)