

SMP FACT SHEET #5

Aquaculture

Aquaculture & Washington State Law

Aquaculture is the farming of fish, shellfish, or other aquatic plants and animals (WAC 173-26-020(6)). Local examples include geoducks, clams, and oysters.

- The WA Department of Ecology (Ecology) lays the framework for how aquaculture is regulated (WAC 173-26).
- Washington law considers aquaculture an activity of statewide interest, that with proper management can result in long-term benefits to the resources and ecology of shorelines. Aquaculture is considered a preferred use when consistent with control of pollution and prevention of damage to the environment (WAC 26-241(3)(b)).
- Counties cannot outright prohibit aquaculture or geoduck production; however, they do regulate how and where it occurs with their local Shoreline Master Program.

Aquaculture & the Shoreline Master Program

- Thurston County is updating its SMP to comply with state law using guidance from the Department of Ecology's [Shoreline Master Programs Handbook](#).
- The [Ecology SMP Handbook](#) draws on research and findings from the Washington Governor's office, the National Oceanic and Atmospheric Administration, U.S. Army Corps of Engineers, the State Noxious Weeds Control Board, the federal National Pollutant Discharge Elimination System, Washington Department of Natural Resources, Puget Sound Restoration Fund and Pacific Shellfish Institute.

Permitting

- Aquaculture is regulated by many agencies. Each producer is required to obtain Federal, State and County permits that may include health certifications, aquatic farm permits, federal clean water permits, aquatic land leases, fish transfer permits, tribal harvest notifications, Endangered Species Act consultations, food processing permits and more.
- Permit requirements include standards related to managing noise, light, aesthetics, plastics, public access and water quality.

Recent Case Law

- Aquaculture operations have been the subject of much case law in Washington State.
- Thurston County is monitoring emerging case law to ensure that the SMP meets all applicable regulations and is legally defensible.

www.ThurstonPlanning.org



THURSTON COUNTY
WASHINGTON
SINCE 1852

Shoreline Master Program (SMP)

***NOT YET ADOPTED - OPEN FOR
PUBLIC COMMENT.**

ASK STAFF

Thurston County's SMP covers most shoreline building projects.

Contact Us about your site and which permits may still be required.

READ THE CODE

Title 19

[TC Current Shoreline Codes](#)

FIND IT ONLINE

[Shoreline Master Program](#) Webpage